

94-1-369-1744

ENCLOSURE

SECTION OF CRIMINAL LAW
1962 Annual Program
San Francisco, California

Monday, August 6

Room of the Dons, Hotel Mark Hopkins

2:00 P.M. GENERAL SESSION, Charles L. Decker, Chairman, presiding
SUBJECT: ACHIEVING TEAMWORK BETWEEN COURTS AND LAW ENFORCEMENT AGENCIES
MODERATOR: The Honorable William J. Brennan, Jr., Supreme Court of the
United States

PANELISTS:

- ✓ Honorable Gerald S. Levin, Judge of the Superior Court, San Francisco, California
- Mr. Edward S. Silver, District Attorney, King's County, Brooklyn, New York
- ✓ Chief Thomas J. Cahill, San Francisco, Police Department
- ✓ J. Erlich, Esquire, San Francisco, California

Tuesday, August 7

Room of the Dons, Hotel Mark Hopkins

10:00 A.M. GENERAL SESSION, James V. Bennett, Vice Chairman, presiding
SUBJECT: MODERN TRENDS IN SENTENCING

PARTICIPANTS:

Moderator: The Honorable Byron White, Supreme Court of the United States
Speakers:

- ✓ Honorable George H. Boldt, U. S. District Court, Tacoma, Washington
- ✓ Harold E. Parker, Staff and Faculty, United States Army Command and General Staff College
- ✓ Honorable John S. Palmore, Court of Appeals, Frankfort, Kentucky
- ✓ The Honorable Roman L. Hruska, United States Senator from Nebraska

Tuesday, August 7

Room of the Dons, Hotel Mark Hopkins

2:00 P.M. GENERAL SESSION, Charles L. Decker, Chairman, presiding
SUBJECT: CRIMINAL LAW--EXPORT OR IMPORT?

✓ MODERATOR: Honorable James J. Robinson, Supreme Court of Libya

PARTICIPANTS:

- ✓ Harry LeRoy Jones, Vice Chairman, Section of International and Comparative Law, Washington, D. C.
- ✓ Lawrence J. Fuller, Foreign Area Specialist (China), Translator of Chinese Criminal Codes
- ✓ Dr. Marcel Frym, University of California Law School and The Hacker Clinic, Los Angeles, California
- ✓ J. J. Davoren, Q.C., Sydney, New South Wales, Australia

Wednesday, August 8

Room of the Dons, Hotel Mark Hopkins

10:00 A.M. GENERAL SESSION, Charles L. Decker, Chairman, presiding
SUBJECT: WHO IS WINNING THE CRIME WAR?

MODERATOR: Honorable Thomas J. Dodd, United States Senate
(Introductory remarks by Moderator)

PANELISTS:

- Charles L. Bellows, Chicago, Illinois, Past President, National Association of Defense Lawyers in Criminal Cases
- ✓ J. Francis Coakley, Prosecuting Attorney, Alameda County, Oakland, California
- ✓ Honorable Mary Conway Kohler, New York City, New York
- ✓ Mr. A. B. Caldwell, Chief, Trial Staff, Civil Rights Division, United States Department of Justice
- (Participant to be announced)

Thursday, August 9

Room of the Dons, Hotel Mark Hopkins

10:00 A.M. BUSINESS SESSION
ELECTION OF OFFICERS
COMMITTEE REPORTS
GENERAL DISCUSSION OF SECTION BUSINESS

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone *fmw*

DATE: 6/19/62

FROM : H. L. Edwards *HLV*
 637
 SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
 CRIMINAL LAW SECTION PROGRAM
 SAN FRANCISCO, CALIFORNIA
 8/6-9/62

 Tolson _____
 Belmont _____
 Mohr _____
 Callahan _____
 Conrad _____
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 Evans _____
 Malone _____
 Rosen _____
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 Tele. Room _____
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On 6/18/62 James V. Bennett, Director of Bureau of Prisons, who is also the chairman of the program committee of the Criminal Law Section, contacted me in regard to the program to be presented by the Criminal Law Section at the ABA meeting in San Francisco August 6-9, 1962. A copy of the program was furnished to me by Bennett and is attached. Bennett advised that Associate Justice William J. Brennan of the Supreme Court of the United States, was going to serve as moderator on a panel which would discuss the topic "Achieving Teamwork Between Courts and Law Enforcement Agencies." Serving as panelists will be The Honorable Gerald S. Levin, Judge of the Superior Court, San Francisco, California; Mr. Edward S. Silver, District Attorney, King's County, Brooklyn, New York; Chief Thomas J. Cahill, San Francisco Police Department; and [redacted] Esquire, San Francisco, California. Bennett stated that Justice Brennan had advised his program committee that he would appreciate any ideas which could be furnished him as how he might plug for some of the programs endorsed by the Criminal Law Section while he served as moderator of this panel.

Bennett also stated that Senator Thomas J. Dodd who will be the moderator of a panel on the subject "Who Is Winning The Crime War?", had also requested to be furnished with ideas on the current crime problem which he could emphasize while serving as moderator. Dodd told Bennett that he would not want to use the usual subjects for improvement in law enforcement such as higher salaries and better training, but rather he wanted more suggestions on timely subjects such as ways to combat organized crime, etc. Panelists on this topic will be [redacted] Chicago, Illinois, Past President, National Association of Defense Lawyers in Criminal Cases; J. Francis Coakley, Prosecuting Attorney, Alameda County, Oakland, California; [redacted] New York City; and Mr. A. B. Caldwell, Civil Rights Division, United States Department of Justice.

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Enclosure

1 - Mr. DeLoach, (W)

1 - Mr. Evans

1 - Mr. Rosen

TDW:dgy

(5)

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REC-54

94-1-369-1744
5 JUL 1962

Memorandum to Malone

Re: AMERICAN BAR ASSOCIATION (ABA), CRIMINAL LAW SECTION PROGRAM
SAN FRANCISCO, CALIFORNIA, 8/6-9/62

Bennett asked me as an officer of the Criminal Law Section, if I could make any suggestions that would be of aid to either Associate Justice Brennan or Senator Dodd. Any suggestions made would be furnished to Brennan and Dodd by the program committee of the Criminal Law Section. It is believed that we should suggest that Associate Justice Brennan might care to point out the problem created for a large number of local law enforcement agencies by the Supreme Court in the Mapp vs. Ohio decision. Brennan could then show how the FBI met this problem by providing specialized schools on the law of Searches and Seizures for all local enforcement agencies and through this training is developing greater teamwork between the courts and law enforcement in the field of evidence. Two other topics might be suggested to Brennan which would be timely and they would be: (1) The emphasizing of the responsibility of the public in regard to jury duty and serving as witnesses, (2) Extending public and legal appreciation of criminal law.

In regard to furnishing of suggestions to Senator Dodd, this was discussed with Mr. Courtney Evans for any ideas he might have. Mr. Evans pointed out that the Attorney General was also speaking at the American Bar Association meeting on a similar topic and that any suggestions to Senator Dodd might lessen the effectiveness of the Attorney General's speech. I am, therefore, suggesting that we furnish no information or suggestions to Mr. Dodd.

RECOMMENDATION:

(1) That it be approved for Inspector H. L. Edwards to furnish the program committee with information concerning the FBI Searches and Seizures Schools and suggestions concerning public responsibility regarding jury duty, etc., and the extending of public and legal appreciation of criminal law for the benefit of Associate Justice Brennan.

(2) That no suggestions or ideas concerning organized crime, etc., be furnished for the use of Senator Dodd.

I don't think we should furnish anything to either unless we get a direct request from Brennan and/or Dodd. H.

*Noted
JHW*

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JHW*

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*JHW
JHW*

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July 11, 1962

REC-3

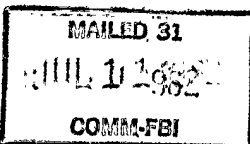
94-1-1-1745
[Redacted]
Number 408
241 East Ohio Street
Indianapolis 4, Indiana

Dear [Redacted]

Your letter of July 6, 1962, has been received, and I appreciate the interest prompting you to write. In accordance with your request, enclosed is some material I hope will be of assistance to you.

Sincerely yours,

J. Edgar Hoover



Enclosures (4)
5-58 LEB Introduction
TV Shows and Movies Have Effect on Crime
The Rectangular Screen and Delinquency
1962 Appropriation testimony

NOTE: Bufiles contain no record of correspondent; however, we have enjoyed very cordial relations with the American Bar Association.

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Mohr _____
Callahan _____
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Evans _____
Malone _____
Rosen _____
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50 JUL 19 1962

[REDACTED]
LAWYER241 EAST OHIO STREET, NO. 408
INDIANAPOLIS 4, INDIANA

July 6, 1962

Mr. Tolson	b6
Mr. Belmont	b7C
Mr. Mohr	
Mr. Callahan	
Mr. Conrad	
Mr. DeLoach	
Mr. Evans	
Mr. Malone	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

Mr. J. Edgar Hoover,
Federal Bureau of Investigation,
Washington, D.C.

Dear Sir:

As a member of the Standing Committee on Communication of the American Bar Association, I have undertaken the task of obtaining information for the use of the Committee, which would serve to help us determine whether there is any direct connection between the current national increase in crime and the portrayal of violence and crime on television programs.

We have all heard the charge made that violence and crime on television has led certain persons to follow similar conduct, and has led others to accept such conduct as a matter of course. Like the story of the five-year old boy who, upon asking why he had only one grandmother instead of two as did his playmates, was told that his other grandmother had died before he was born. He immediately asked, "Who shot her?"

Those who defend and justify violent television fare maintain that there is no proof that this is responsible for the increase in occurrence of crime. Does your department have any figures or can you refer me to any source from which I could obtain reliable information which would tend to prove or disprove the charges above mentioned?

An early reply to my letter would be greatly appreciated because I am preparing a compilation of information on this subject for presentation to the American Bar Association Committee, which meets in San Francisco beginning the first week in August.

Very truly yours
[REDACTED]

REC-3

JUL 9 1962

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ack
7-11-62
B. R. [unclear]

CORRESPONDENCE

UNITED STATES GOV

Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. Malone *jm*

FROM : H. L. Edwards *HN*

SUBJECT: SYLVESTER C. SMITH, JR.
PRESIDENT-ELECT
AMERICAN BAR ASSOCIATION

DATE: 7/11/62

I have received an invitation from the New Jersey State Bar Association to attend a reception in honor of Sylvester C. Smith, Jr., President-Elect of the American Bar Association at the Hotel Fairmont, San Francisco, California, Sunday, 8/5/62, at 5:00 p.m. Since I will be attending the annual meeting of the American Bar Association at this time in San Francisco (as previously approved by the Director) I will accept this invitation, unless advised to the contrary.

HLE:spd
(2) *spd*

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EX. - 102

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1962

AMERICAN BAR ASSOCIATION

SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY AND OBJECTIVES 1951-1962

Robert A. Rasmussen, Chairman
United States Bar, Cincinnati, Ohio
Rudolph C. Carver, Chairman
La. Bar, Baton Rouge, La.
James A. Callahan
1015 W. Broad St., Richmond, Va.
James G. McKay, Jr.
Dade Federal Bldg., Miami 32, Fla.
Lawrence V. Mason
4000 Cato Bldg., Washington 4, D. C.
William C. Murr
Dept. of the Navy, Washington 25, D. C.

John B. Nichols
100 Park Ave., New York 17, N. Y.
Meyer Noyes
National & International Service
1100 14th St., Washington 25, D. C.
Charles R. Smith
1100 14th St., Philadelphia 2, Pa.
Dan H. Arnold
First Nat'l Bank Bldg., Jackson 3, Miss.
Henry J. Tappan
Chicago City, Ill.
Louis C. Winters
1662 Elm St., Rochester, N. H.

April 10, 1962

[Redacted]
Dade Federal Building
Miami 32, Florida

Dear [Redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/3/85 BY SP6 BJA/pde
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Congratulations on the splendid job you did in connection with your Seminar. Your report of the 2nd was excellent.

I was very much interested in the references pertaining to the Overstreets' book "What We Must Know About Communism." I have known the Overstreets for many years and in fact they came into the FBI prior to my retirement to see what could be done. I was very much impressed by their sensitivity at the time and made a very careful check of all of their activities. I came to the unqualified conclusion that they had responded to humanitarian appeals thinking they were doing the right thing in sharing the fruits of their labors with those less fortunate people. This was at a time before there was any widespread knowledge of Communist front tactics and the like.

I found the Overstreets firmly imbued with the American way of life, but like most academicians it simply did not occur to them to do a lot of checking in the early days. Quite frankly I would like to think that I had some little part in their activities which developed into an extensive program of lecturing to school groups, and particularly educators about the menace of Communism. This also led to the book "What We Must Know About Communism." I read it in manuscript form and think that it is one of the best books of its type that has been done. Bearing in mind that it was intended primarily for educators, the book did have a tremendous appeal to the general public. I know of few people who have been as effective in convincing educators against Communism as have the Overstreets. I think that it is most unfair that these folks have been maligned. After all, they did not have to undertake the anti-Communism program. They looked upon it as an assignment and as a necessary field of endeavor. I happen to have personal knowledge of instance after instance wherein they have been approached to sign petitions

ENCLOSURE

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April 6, 1962

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I know that without the aid and assistance of former Communists the task of the F. B. I. would have been far more difficult because it did take years to develop its own undercover group within the Party. Some of the old time former Communists, who have seen the error of their ways, have been of inestimable assistance in bridging the gap. Jay Lovestone, I would place in this category. Despite the fact that he broke with the Party back in 1929, his testimony is important because he had first hand association with the Soviet members and because of his association with the Party from its earliest inception in the U. S.

Ben Mandel is another I would place in this category. In fact to him must go a great deal of the credit for the work of the House Un-American Activities Committee many years ago and more recently his work with the Internal Security Sub-Committee.

Of course, I would not countenance soliciting those former Communists who have sought to profit from the fact that they were once members of the Communist Party. Many of the former Communists are brilliant speakers and are applying their waking hours to exposing the fallacies of Communism and its insidious program with a passion and dedication that is heartwarming. For example, I have heard [redacted] speak on two or three occasions. He is one of the contributors to the National Review, and seldom have I heard a more powerful denunciation of Communism. This applies to countless others.

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I have noted the pro and cons which have been made pertaining to [redacted] I suppose I am the only member of the Committee who has had a long and personal acquaintance with [redacted] My acquaintanceship with [redacted] goes back to the late '40's, although I had previously known of his activities. He was an assistant counsel for the old Rapp-Coudert Committee created by the New York State Legislature charged with the responsibility of investigating Communist infiltration into the Teachers Union. Mr. Philip Haberman, who was on our Committee a year ago, was the general counsel. From various individuals who had first hand knowledge of the Rapp-Coudert Committee, I have been informed that [redacted] did an outstanding job.

[redacted] Esq.

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April 10, 1962

and they have started a one-man campaign to turn others from causes sanctioned or directed by the Communist Party, and I do know of instances where they have been exceedingly successful. One of the finest statements that I have ever read against Communist infiltration into education was made by Dr. Overstreet before the Senate Internal Security Sub-Committee.

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You will note that from the data supplied by the Committee on Un-American Activities the instances cited mostly occurred in 1938, 1939, 1943, 1944 with one reference to a petition referred to in 1950. At the very worst these items are innocuous and do not in and of themselves have any evidentiary value to indicate any disloyal acts on the part of the Overstreets.

Naturally I have been an advocate of Mr. Hoover's book "Masters of Deceit" from its very inception. It is excellent, authoritative and timely. However, I see no conflict whatsoever between it and the Overstreet book.

One of the great difficulties which has existed over a period of years in the fight against Communism has been the failure to realize that in this fight we need everyone regardless of what their past activities might have been so long as they are now dedicated to preserving our way of life. After they have allied themselves on the side of Right, isn't it time to judge them for what they are rather than for what they were? In fact, some of the most effective advocates against Communism have been former Communists and without their help I have serious doubts that we would have made the progress we have thus far. I think that the time has come when all good Americans should stop fighting among themselves and direct their energy toward the real foe.

I cannot express too strongly my own commendation of the Overstreets for their effective fight today, and since I have known them, against Communism.

Best wishes and kind regards,

Sincerely,

Louis B. Nichols

cc: Hon. John Gatterfield
Hon. Sylvester Smith
All Members of the ABA Committee

April 6, 1962

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I came in rather close contact with [] in 1950 when the Senate Foreign Relations Sub-Committee, under the Chairmanship of the late Millard Tydings, investigated the McCarthy charges of Communism in the State Department. [] was appointed as minority counsel and I appeared before the Committee (along with another Assistant Director, D. M. Ladd, who was killed in an automobile accident a few years ago) in behalf of the Party to defend our actions in the Amerasia case. It is rather hard to believe today but nevertheless the fact remains that an attempt was made, unsuccessfully I am glad to report, to put us in a defensive position.

Subsequently, [] was appointed counsel of the Senate Internal Security Sub-Committee by the late Senator Pat McCarron, and handled the Internal Security Sub-Committee investigations of the Institute of Pacific Relations and numerous other similar investigations. He then left the Committee and ran for office in New York City as a City Magistrate and was elected. Shortly thereafter he returned to Washington again as counsel of the Internal Security Sub-Committee and held this post for several years. He then returned to New York to enter into the practice of law. He ran for Senate in New Jersey and was defeated in the primary by the present incumbent Senator Case. Shortly after that he was appointed President of the University of Dallas, Dallas, Texas.

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[] in my opinion, has an excellent background on the subject matter of Communism. He has considerable feeling on the subject. He is a man of considerable conviction. He is outspoken but with it all he has a very deep sense of justice -- a deep sense of responsibility and is thoroughly dedicated to preserving the American way of life. In addition, [] is also rather conservative in his political philosophy and I am sure that if he were judged on the basis of political philosophy, there are many who would take a rather antagonistic view toward him. This in no wise should detract from his own personal competence as an effective crusader against the menace of Communism. I have not known [] to make irresponsible charges. On the other hand I have known him time and again to bend over backwards to even defend people from charges that could not be sustained. I personally would not hesitate to recommend [] He would not embarrass the A.B.A. and if he were given a topic I am certain that he would stick to it. As a lawyer he has considerable competence. Had he remained in the practice of law he would be an outstanding lawyer among any group of lawyers.

April 6, 1962

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[redacted] While I do not know Professor [redacted] or Father Bannon, I have had a long friendship with Senator Karl Mundt as well as with Congressman Walter Judd. The latter two are outstanding in every respect. Frankly, I cannot see the wisdom and logic of excluding from the panel individuals who serve in Congress or who are in public office, provided they are otherwise competent and able to serve.

As to the so-called Anti-Communist lecture groups, there are many who are called upon to make speeches and some who accept fees to make speeches. I would not rule them out solely for this reason -- there are others I would shy away from, particularly those who are more interested in pecuniary gain. I think that each should be judged on the basis of his own merit. I will illustrate my point more specifically.

George Murphy, the former Hollywood actor, was one of the organizers of the Los Angeles Seminar on Communism that has had such favorable reception on television. I would recommend George Murphy's appearance on any platform on the subject, without qualification. However, the keynoter of this same Los Angeles Seminar, who comes from Australia, should not be considered for one of our panels. He obviously is making a profession of his ability to denounce Communism. He has been in the country for five years, as I recall, and has not taken out citizenship papers -- I would oppose his having the prestige of being one of our panelists.

I regret that I missed our last meeting and am certainly looking forward to the meeting in May.

With best wishes and kind regards,

Sincerely,

Louis B. Murphree

cc: To All Members
Special Committee on Communist Tactics, Strategy and Objectives



AMERICAN BAR ASSOCIATION

SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY AND OBJECTIVES 1961-1962

Edwin E. Blum, Chairman
 Union Central Bldg., Cincinnati 2, Ohio
 Raymond C. Christman
 24 N.W. Bank Bldg., Room 1111, La.
 James S. Cramer
 1110 W. Broad St., Richmond, Va.
 James G. McKay, Jr.
 Suite 1000 Bldg., Miami 12, Fla.
 Raymond W. Miller
 1000 14th St., Washington 4, D. C.
 William G. Moore
 Dept. of the Navy, Washington 25, D. C.

Louis B. Nichols
 350 Fifth Ave., New York 1, N. Y.
 Mario T. Noto
 Immigration & Naturalization Service
 Dept. of Justice, Washington 25, D. C.
 C. Brewster Rhoads
 1421 Chestnut St., Philadelphia 2, Pa.
 Dan H. Shell
 First Nat'l Bank Bldg., Jackson 3, Miss.
 Henry J. TePaske
 Orange City, Iowa
 Louis C. Wyman
 1662 Elm St., Manchester, N. H.

April 6, 1962

[Redacted]
 Union Central Building
 Cincinnati 2, Ohio

Dear [Redacted]

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 5/3/85 BY SP6-Bjg/ndk
 # 253,049

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I have really been on the go of late and have not been able to keep abreast of some of my personal correspondence.

I read with a great deal of interest the exchange of correspondence pertaining to various panelists and I think that it would not be inappropriate to express my views in a few instances where I have some personal knowledge.

First of all, I think it is a mistake to rule out a former Communist as a panelist. There are many of them who I would not have under any circumstances but there are others who have seen the error of their ways and who are actually seeking opportunities to help correct the damage they have done. This I think is a very commendable attitude and for years I have judged former Communists not on the basis of what they said in renouncing Communism but what they have done to prove to the world that they have renounced Communism, and to make retribution for the period they were under Communist discipline.

In fact it was former Communists who contributed greatly in turning the tide against the Communist menace within the United States. Without these former Communists the task of investigation and disclosure would have been almost insurmountable, because after all you are dealing with a clandestine conspiracy which does not carry on its nefarious tasks in the presence of witnesses.

ENCLOSURE

UNITED STATES GOV

Memorandum

TO : Mr. Malone *gm*

DATE: 7/11/62

FROM : H. L. Edwards *HEW*

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
 SPECIAL COMMITTEE ON COMMUNIST
 TACTICS, STRATEGY AND OBJECTIVES,
 FORMER ASSISTANT TO THE DIRECTOR
 L. B. NICHOLS

Tolson ☒
 Belmont ☒
 Mohr ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Malone ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele. Room ☒
 Holmes ☒
 Gandy ☒

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 5/3/85 BY SP6 B. B. B. B. B.

I have just received in the mail some copies of correspondence forwarded to me by [redacted] of the ABA Special Committee on Communist Tactics, Strategy and Objectives. [redacted] supplied these confidentially.

One of these items of correspondence is a four-page letter from L. B. Nichols to [redacted] dated 4/6/62, in which Nichols argues the case for including former Communists as panelists on the Committee seminars, provided, of course, they appear to have genuinely reformed. Nichols states that he would place Jay Lovestone in this category; also [redacted] and [redacted]. He defends [redacted] at length and states "I personally would not hesitate to recommend [redacted]. He would not embarrass the ABA and if he were given a topic I am certain that he would stick to it. As a lawyer, he has considerable competence. Had he remained in the practice of law, he would have been an outstanding lawyer among any group of lawyers." He characterizes Senator Karl Mundt and Congressman Walter Judd as "outstanding in every respect," and states he cannot see the wisdom and logic of excluding from the panel individuals who serve in Congress, provided they are otherwise competent and able to serve. Nichols also states in his letter that he would recommend George Murphy's appearance on any platform on the subject, without qualification.

This letter is interesting because it will be recalled that we had considerable difficulty in having the ABA Committee veto the use of Jay Lovestone and other former Communists at the ABA Mid-year Meeting in Chicago in February, 1962. It was only through the steadfast insistence of [redacted] and through some confidential liaison with ABA President John Satterfield that we accomplished this.

57 AUG 8 1962 Sending this letter to me, [redacted] did so out of a feeling that most

Enclosures (2)

1 - Mr. W. C. Sullivan

1 - Mr. DeLoach

HLE:mgj

(4)

ENCLOSURE

XEROX
JUL 26 1962

JUL 17 1962

CRIME RESEARCH
PERS. REC. UNIT

Memo to Mr. Malone
Re: ABA

of the troubles he has had have stemmed from behind-the-scenes obstructionist efforts and [] very frankly feels that Nichols has been the most active force in this regard.

The other letter is dated April 10, 1962, addressed to Committee member [] of Miami, Florida, in which Nichols defends the Overstreets and their book "What We Must Know About Communism." He refers to his dealings with the Overstreets while he was in the Bureau; he mentions "Masters of Deceit" and compliments it but states he sees "no conflict whatsoever between it and the Overstreets' book." [] of course, is similarly favorably disposed toward the Overstreets' book, but has withstood efforts in the past to have the Overstreets on his seminars as panelists. b6 b7C b7D

[] is still quite despondent over Sylvester Smith's failure to reappoint him as Committee Chairman. He has not yet decided whether he will continue as a Committee member under [] as Smith requested.

ACTION:

Information.

HARRY KENNEDY
RONALD KENNEDY
JW
JSM
V

UNITED STATES GOVERNMENT

Memorandum

TO : MR. MALONEY

DATE: June 25, 1962

FROM : MR. H. L. EDWARDS

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
SPECIAL COMMITTEE ON COMMUNIST
TACTICS, STRATEGY, AND OBJECTIVES
FRANCIS JAMES MCGUIRE, FORMER BUREAU CLERK

Tolson _____
 Belmont _____
 Mohr _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
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This memorandum pertains to L. B. Nichols' letter of 6/21/62 re the proposed hiring of former clerk [] as a staff man by [] Special ABA Committee on Communist Tactics, Strategy and Objectives. Nichols' letter is academic for two reasons:

1. I already had advised the Bureau of this matter in my memorandum of 6/6/62, based on a call I received from [] 6/5/62 and a conversation with ABA President-elect Sylvester Smith the morning of 6/6/62 at the National Academy Graduation exercises. In that memorandum I reported having told [] we could not endorse [] especially since he has been out of the Bureau more than 10 years.

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2. Sylvester Smith is not continuing [] as Committee Chairman after the August, 1962, annual ABA meeting at San Francisco when Smith becomes ABA President. He is asking a Chicago lawyer, [] to be Chairman. Smith sailed for Europe Friday, June 22, and won't return until late July. Before sailing, he talked to me by phone, and although he had previously indicated he would continue [] as Chairman, he feels a change is essential because the Committee is to become a standing or permanent one with emphasis on the program of education in the contrast between Communism and Democracy in the schools rather than highlighting the anti-Communism seminars which the [] Committee stressed. Smith doesn't have confidence in [] as an administrator. Also, there has been sniping against [] by certain Committee members who wanted a bigger voice in selecting seminar panelists and speakers, etc. (For example, some Committee members tried to insist on approving Jay Lovestone and [] as panelists.) [] also seems to be caught in the middle as the innocent victim of basic ABA political differences between John Satterfield and Sylvester Smith.

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HLE:wmj (5)

1 - Mr. DeLoach

1 - Mr. Sullivan

1 - Personnel File of []

Enclosure sent 6-27-62

REC-44

JUL 20 1962

ENCLOSURE

CRIMINAL

FBI REC. UNIT

Memo for Mr. Malone
Re: ABA

Saturday night, 6/23/62, [] called me. He had just received Smith's letter telling him [] would replace him. Smith asked [] to continue as a Committee member, but [] impulse is to withdraw completely. Smith's letter mentioned the pending [] staff appointment and indicated he felt [] Committee would not want to finalize any action in view of the reshuffling of the Committee and changes in program emphasis. [] told me he is washing his hands of the matter and deferring to whatever Satterfield may want to do, since Satterfield initially authorized [] to make the tentative offer to []

[] is shocked and disheartened by Smith's actions. He said the only consoling fact out of his assignment as Chairman has been the pleasure of working with the Bureau and the feeling that in some small way he has been able to keep this vital anti-Communism work on a balanced keel. He decried the tactics of certain Committee members who have seemed to use very devious and insidious tactics to impede the substantive work and place self above country. Whether or not [] is permitting self-pity to color his judgment is a matter for speculation, but at least he certainly has had his procedural headaches.

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b7D

[] is tempted to resign right now as Chairman. He said he will definitely not go to San Francisco in August. I would hate to see this because the next two months can be important for the orderly transition of the Committee's work, especially in view of the status of the Director's forthcoming text on Communism. [] said he would think things over for the next day or so before definitely deciding what to do.

[] is active in the Institute for American Strategy. He is well known to Assistant Director Sullivan, and attended the one-day briefing session the Bureau gave [] Committee 9/25/61, which was climaxed by a group photograph with the Director, and [] was sent an autographed copy of this photograph. On 2/19/62 [] congratulated the Director on his article re Communism in that month's issue of the ABA Journal.

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On Sunday night, 6/24/62, [] phoned me from his home in Syracuse. He had received calls from [] and Satterfield earlier that day. [] was being replaced as Chairman, and that it would be up to Satterfield as to [] future status with the ABA. Satterfield told [] he would have to wait until Satterfield could set up a get-together with [] would have to sell himself to [] before any guarantee of employment could be given to []

Memo for Mr. Malone
Re: ABA

[] said he was calling me because this sudden turn of affairs puzzled him, and knowing I worked closely with [] he wondered if I could shed any light. I told him I couldn't. Then I seized the opportunity to mention his "personnel summary." [] denied any misrepresentation. He said the manual he referred to was one he helped prepare to train tour leaders. He admitted his "public relations," approximately 3 years duty to represent FBI before the public - intelligently discuss and explain FBI operations within the bounds of security " referred strictly to his clerical tour leading assignment. His position as Administrative Supervisor referred to the position of clerical supervision of the Mail Room and, of course, all Bureau employees had top security clearance. His "technical and detailed work of a sensitive nature in close relationship to office of FBI Director" was nothing more than the work in the Mail Room, the Courier Unit and the Tour Room. He did receive the Bureau's Certificate of Honorable War Service and we have letters of commendation from the Director. I told [] that perhaps there had been no intent to misrepresent, but to the uninformed, his description of his FBI service certainly was misleading. I told [] if I were he I would certainly revise and clarify that personnel summary by bringing it down from the clouds. He said he would. He said the last person in the world he wanted to offend is Mr. Hoover, and that he has always felt close to the Bureau and boosted it at every chance.

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RECOMMENDATIONS:

1. That the attached proposed reply to Nichols be approved.

OK. H

WV
Jm

2. That no action be taken at this time regarding Smith's reported switch in Committee Chairmen.

OK. H

WV
Jm

3. That W. C. Sullivan keep alert in contacts with [] for any news bearing on his offer and acceptance of Committee Chairmanship.

I plan
to take

Yes

WV
Jm

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. A. H. Belmont *ANS*

DATE: June 28, 1962

FROM : Mr. W. C. Sullivan

SUBJECT:
 CHAIRMAN OF THE SPECIAL COMMITTEE
 ON COMMUNIST TACTICS, STRATEGY
 AND OBJECTIVES
 ○ AMERICAN BAR ASSOCIATION - *NOTED*

1-Mr. Belmont
 1-Mr. Mohr
 1-Mr. DeLoach
 1-Mr. M. A. Jones
 1-Mr. H. L. Edwards
 1-Mr. Sullivan

Tolson _____
 Belmont _____
 Mohr _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

Reference is made to the enclosed copy of a memorandum from H. L. Edwards to Mr. Malone dated June 25, 1962. has been designated Chairman of the above-captioned Committee. He was in to see me today to discuss his new position and his plans for the year. expects to enlist the support of some of the best lawyers in the country in order to devise ways and means of intelligently, rationally and calmly informing the American people concerning the dangers of communism and the need for unity in opposing it. remarked about the forthcoming textbook by Mr. Hoover and said that he wanted to do everything possible to facilitate the sales of this book.

b6
 b7c

I have known for some time. He is a brilliant lawyer from Chicago and heads the law firm of Leibman and Crowell which contains some 40 to 50 lawyers. Politically he is a moderate liberal with both feet firmly on the ground. I have real confidence in and I feel positive that he will turn out to be a most effective supporter of the FBI.

Among other things, said to me today that he is very much disappointed in the State Department. In fact, he singled out Under Secretary of State George Ball. referred to a number of public statements recently made by Ball on the subject of communism which he thought were weak and what he termed "fuzzy." He said there is no reason in the world why an official of this Government cannot have an intelligent and progressive social outlook and at the same time take a very clear, unequivocal stand against communism. He thinks Ball failed to do this. He thinks this same attitude is characteristic of State Department officials as a whole.

recently has been a key member of the Committee on Non-Military Instruction of the Armed Forces. He told me that they are preparing a report on their study which has gone on now for some 6 to 7 months.

Enclosure

WCS:jdd
 (7)

ENCLOSURE

3-41
 JUL 26 1962

JSF-1
 XEROX
 JUL 23 1962

CRIME RESEARCH

62-107578-
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Memorandum for Mr. Belmont

Re; [redacted]

Chairman of the Special Committee on
Communist Tactics, Strategy and Objectives
American Bar Association

b6
b7C

I will keep in touch with [redacted] and do whatever is possible to direct his energies toward FBI goals. [redacted] will, of course, be dealing frequently with the Bureau's liaison representative to the American Bar Association, Inspector H. L. Edwards.

RECOMMENDATION:

For your information.

gale

JD

Wes.

Q

✓

FEDERAL BUREAU OF INVESTIGATION

Room 5525 7/13, 1962
Telephone 333

<input checked="" type="checkbox"/>	Director	<input checked="" type="checkbox"/>	Mr. Tolson
<input checked="" type="checkbox"/>	Mr. Tolson	<input checked="" type="checkbox"/>	Mr. Belmont
<input type="checkbox"/>	Mr. Belmont	<input checked="" type="checkbox"/>	Mr. Mohr
<input type="checkbox"/>	Mr. Mohr	<input checked="" type="checkbox"/>	Mr. Callahan
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<input type="checkbox"/>	Mr. Sullivan	<input checked="" type="checkbox"/>	Mr. Tavel
<input type="checkbox"/>	Mr. Tavel	<input checked="" type="checkbox"/>	Mr. Trotter
<input type="checkbox"/>	Mr. Trotter	<input checked="" type="checkbox"/>	Miss Gandy
<input type="checkbox"/>	Miss Gandy	<input type="checkbox"/>	Miss Holmes
<input type="checkbox"/>	Miss Holmes	<input type="checkbox"/>	Mr. Hyde
<input type="checkbox"/>	Mr. Hyde	<input type="checkbox"/>	Mr. M. A. Jones
<input type="checkbox"/>	Mr. M. A. Jones	<input type="checkbox"/>	Mr. Morrell
<input type="checkbox"/>	Mr. Morrell	<input type="checkbox"/>	Mrs. Skillman
<input type="checkbox"/>	Mrs. Skillman	<input type="checkbox"/>	Reading Room
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<input type="checkbox"/>	Movement Unit	<input type="checkbox"/>	Miss Weber
<input type="checkbox"/>	Miss Weber	<input type="checkbox"/>	Miss Ferguson
<input type="checkbox"/>	Miss Ferguson	<input type="checkbox"/>	Miss Eggers

☐ See Me ☐ For appropriate action
☐ Call Me ☐ For your information
☐ Send File ☐ Note and Return

a refreshing stand.
J. P. Mohr

J. P. Mohr ✓
J. P. Mohr

94-1-369-1749

ENCLOSURE

Tolson _____
 Belmont _____
 Mohr _____
 Callahan _____
 Conrad _____
 DeLoach ☒ b6
 Evans ☒ b7C
 Malone ☒
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

UPI-32H

(COURT)

CHICAGO--THE HEAD OF THE AMERICAN BAR ASSOCIATION (ABA) HAS ACCUSED HIS PROFESSION OF BEHAVING "LIKE AN ANCIENT OSTRICH" IN FAILING TO EXERCISE ITS "INHERENT RIGHT AND HIGHEST DUTY" TO CRITICIZE DECISIONS OF THE U.S. SUPREME COURT.

JOHN C. SATTERFIELD, ABA PRESIDENT, WRITING IN THE ORGANIZATION'S JOURNAL, SAID THE SUPREME COURT ITSELF HAS FREQUENTLY STRESSED THE NEED FOR SUCH CRITICISM AND "SHOWN ITSELF TOLERANT OF CRITICISM, EVEN WHERE OF QUESTIONABLE MOTIVE."

SATTERFIELD SAID LAWYERS HAVE SPECIAL RESPONSIBILITY TO ANALYZE AND CRITICIZE RULINGS OF THE HIGH COURT AND OTHER COURTS BECAUSE JUDICIAL DECISIONS ARE MAKING "FUNDAMENTAL CHANGES...IN OUR FORM OF GOVERNMENT."

7/12--TS1032AED

REC-20 94-1-369-1749
 EX-102
 22 JUL 25 1962

WASHINGTON CAPITAL NEWS SERVICE

67 JUL 26 1962

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 7/25/62

FROM : SAC, RICHMOND (94-390) -P*-

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
SPECIAL COMMITTEE ON COMMUNIST
TACTICS, STRATEGY AND OBJECTIVES

Re Richmond letter to Bureau dated 4/30/62.

Enclosed for the information of the Bureau is a copy of a news clipping entitled "Public Schools are Preparing Broader Communism Course", which appeared in "The Richmond Times Dispatch", Richmond, Virginia, on July 13, 1962, and which reflects additional data concerning the course on Communism to be taught in Virginia schools.

Any additional data received will be furnished to the Bureau.

EXP-PROC

36 JUL 20 1962

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REC-52

JUL 25 1962

EX - 102

REC- 52

94-1-369-1750

JUL 26 1962

2 - Bureau (Enc-1)
1 - Richmond
CFH:mfh
(3)

55 AUG 9 1962

ENCLOSURE

CRIME RESEARCH

R. A. Giff

(Mount Clipping in Space Below)

Public Schools Are Preparing Broader Communism Course

By Lon Savage

T-D Education Editor

Virginia school officials, who began experimenting with instruction about communism two years ago, are preparing for fairly widespread teaching of the subject beginning in September.

Four institutes to train teachers for instruction about Communist-vs.-American ideals are being held in the state this summer—the third summer of such institutes. Teachers from virtually every section of the state are taking—or have taken—part, according to Franklin A. Cain Jr., supervisor of history, government and geography for the State Department of Education.

About 130 of Virginia's 600 government teachers took part in institutes held the past two summers, and the teachers attending the institutes this year will bring the number to nearly 200, Cain said.

Interest Widespread

Although the teachers may not come from every city and county in the state, they come from every area of the state, he said, indicating that interest in the course is widespread.

Also, the State Department of Education is preparing to send to local school superintendents in the near future an outline for a four-to-six-week unit comparing communism with American ideals. The unit is recommended for use in a compulsory government course for high school seniors.

That outline, along with the institutes and with local school division support of the program, should give teachers considerable help in beginning a unit about communism in many areas of the state, Cain said. The outline was approved by the State Board of Education in April.

The fact that government teachers throughout the state are taking part in the institutes indicates many local school districts support the program.

(Indicate page, name of newspaper, city and state.)

6 RICHMOND TIMES - DISPATCH
RICHMOND, VA.

Date: 7-13-62

Edition:

Author:

Editor: VIRGINIUS

Title: DABNEY

Character:

or

Classification:

Submitting Office:

RH

1970
AUG 1 1962

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ENCLOSURE



—Staff Photo

Franklin A. Cain Jr.
Statewide Interest

Cain said. The teachers, to attend the institutes, need the recommendation of their local school superintendents.

One institute already has been held at Virginia State College, Cain said. Others are in progress at Virginia Polytechnic Institute, the College of William and Mary and the University of Virginia. All last three weeks, except William and Mary's, which lasts four.

The institutes, Cain said, are "primarily aimed at what lies behind the political and economic aspects of our American system and the Communist system."

The board-approved outline lists three books for reading in the communism course: "The Menace of Communism" by Colegrove and Bartlett, "Masters of Deceit" by J. Edgar Hoover and "The Russian Revolution" by Alan Morehead.

Several local school divisions have taken the lead in giving instruction about communism,

including Richmond public schools.

In Richmond, where every senior was taught about communism in a unit of the senior government course this past school year, a committee of six history department heads and government teachers is revising the unit in light of past experience.

The committee is adapting the unit to fit a year-long senior government course, which will begin in local schools in September. In the past, the government course has been only for a semester, and the communism unit was fitted into that semester.

In Henrico county, a six-week unit about communism also was taught this past year as part of the 12th grade government course, according to R. R. Marks, director of instruction. The unit was outlined in a memorandum on government courses last year by the State Department of Education, he said.

Can't Be Predicted

In addition, Henrico is studying its full social studies program, from the first grade through high school, he said. Whether any recommendations concerning instruction about communism will emerge from that study can't be predicted, he said.

The New York Times, in a survey of key areas concerning instruction about communism, has reported that the subject is gaining in popularity and professional respectability throughout the nation.

However, the Times reported a problem has arisen over confusion about "the difference between teaching and indoctrination." Other obstacles, the Times said, are a shortage of teachers who have a thorough knowledge of the background of communism, ignorance of students about basic economic facts and the competition for study time in the schools.

Florida and Louisiana now

94-1-369-1751

77

Shall It Be Law or Tyranny?



by John Edgar Hoover • *Director of the Federal Bureau of Investigation*

NOT LONG AGO, Nikita Khrushchev, the world's Number One communist, toured an American exhibition in Moscow. While there, he observed some voting machines, the type used in many of our polling places. His comment was short and to the point: "I have no interest in them."

In these words, Mr. Khrushchev expressed a basic tenet of communism—its detestation for our democratic concepts, for our system of free government based on the will of the people. The communists have nothing but contempt for our courts, our legal profession, our principles of jurisprudence. To them, the Communist Party is the highest law, the tribunal of ultimate appeal. Law is defined and executed by the discipline of the Party.

Mr. Khrushchev's remarks, in fact, are a measure of the giant ideological struggle which engulfs the world today. Nothing less is at issue than our whole Judaic-Christian concept of government and law. The majesty of the law is the very essence of our democratic way of life. This is the grandeur, the nobility, the lifeblood of our Republic. This is why men fought at Valley Forge, at Verdun, at the Battle of the Bulge. We are a government of law, not men. William Pitt, the Great Commoner, thundered the answer years ago in the English House of Lords when he shouted, "Where law ends, tyranny begins."

Men of the Law Stand on the Front Lines of Battle

You, as men of the law, very literally today stand on the front lines of battle.

Both as Americans and as attorneys, you have a deep and abiding responsibility to help defeat this evil assault. The battle, most truly, is one of law versus tyranny, individual liberty versus mass repression, the dignity of the human personality versus man as a slave of the state. To a large extent, America's answer must rest with the lawyers of the nation.

The communists have long recognized the irreconcilability of law and their ultimate aims of violent revolution—hence their constant efforts to defame, subvert and tear down the orderly processes of law and order.

This hostility to law is reflected in the *Communist Manifesto*, a basic document of international communism. "Your jurisprudence", say Marx and Engels, "is but the will of your class made into a law for all, a will, whose essential character and direction are determined by the economic conditions of existence of your class."

The communists look upon democratic or bourgeois law as an instrument of class coercion, an instrumentality whereby one class maintains dominance over another. Law represents the codification which the dominant class finds necessary to maintain control. "State and law", says Andrei Y. Vyshinsky, former Foreign Minister of Russia and a leading exponent of Soviet law, "emerge from the material form of life of people and have only the form of the dominant will. In other words, they represent an expression of that will. Marx . . . unmasks the specific illusion of jurists and politicians who imagine, on the con-

trary, that legislation depends on the whim of people."

Vyshinsky in another passage states:

Marxism-Leninism gives a clear definition (the only scientific definition) of the essence of law. It teaches that legal relationships (and, consequently, law itself) are rooted in the material conditions of life, and that law is merely the will of the dominant class, elevated into a statute. It starts from the proposition that political, legal, philosophical, religious, and literary development is defined by—and is a superstructure over—economics. Law is one of the superstructures above the totality of production relationships forming society's economic structure.

The very recent authoritative Party manual, *Fundamentals of Marxism-Leninism*, prepared by a group of Moscow scholars, maintains that "The obsolete ruling class . . . controls the state, a powerful apparatus of coercion. . . The dominant position of the old production relations rests on the whole apparatus of the economic, political and spiritual domination of the class in power. That is why the replacement of these relations by new ones demands not evolution but revolution. . . ."

Hence, since communism is determined to destroy the existing society, law (as one of its coercive manifestations) must also be destroyed. This communist position is vividly illustrated by a recent writer in the Soviet magazine, *Communist*. "The Soviet regime", he says, "has smashed and destroyed the old court system which was an instrument for the enslavement

and oppression of the masses. In its place was created a new, people's court."¹

Law in a Communist Society

Law in a communist society is not based on any belief in a Divine Creator, on a body of accepted rules distilled from the experience of men, on norms of fair play, tolerance and free speech. Law as the embodiment of the values of love, justice and truth, as a sinew of understanding among rational men, is unknown. Under communism, law becomes the coercive tool of the communist state. The objective is not impartial justice, the protection of individual liberties or the just settlement of grievances among disputants.

Under communism, the law (usually termed "socialist legality") is utilized (1) to eliminate the enemies of the communist regime and (2) to build the communist state. "Marxism teaches the necessities of using law as one of the means of the struggle for socialism—of recasting human society on socialist bases." "Soviet laws . . . serve the great goal of the building of a communist society." "The Soviet court system organizes all its work with a view to strengthening socialist legality . . ."

Note the emphasis on the role of the "legal system" (especially the courts) as a coercive instrument for the promotion of communism. The stress is on "building" communism, strengthening "socialist legality", "promoting" the communist state, not on personal liberties, the impartial adjudication of cases, the protection of the individual. The ultimate law in Soviet society is the Party. Under Mr. Khrushchev, the "legal system" of the Soviet Union has reflected a number of changes, but there has been no deviation from the basic objective and underlying motive of that system as it prevailed under Lenin and Stalin. The communist "legal system" still exists primarily for the benefit of the state, rather than for the rights of the individual. Any communist talk about protecting individual liberties (which the communists claim they do) is mere window dressing. Communism and individual rights cannot coexist.

Hence, the communists cannot toler-

ate the existence of an independent judiciary, independent-thinking lawyers, free bar associations or law enforcement agencies dedicated to gathering the truth. William Z. Foster, former Chairman Emeritus of the Communist Party, USA, who recently died in Moscow, made quite clear the communist opinion toward lawyers. In a communist society, Mr. Foster wrote, "The pest of lawyers will be abolished." Why have lawyers, when there are no rights to defend?²

The Communists' Mark of a "Good" Lawyer

The mark of a "good" lawyer or a "good" judge then becomes a matter of being a "good" Marxist. M. I. Kalinin, former President of the Soviet Union, is quoted very approvingly by an author in Mr. Khrushchev's Russia as saying:

If a judge is a good Marxist, an experienced practical worker, a cultured and sufficiently educated person, we may say with confidence that 99% of his verdicts and decisions will have political significance, and will be one of the best forms of propaganda of the Soviet laws and of the directives of the Party.

A judge who is a poor Marxist, unfamiliar with Party resolutions, unable to fight for Party decisions with sufficient vigor . . . such a judge is unfit.

Hence, members of the judicial system become "political hacks", decisions are motivated by the partisan interests of the state and justice as we know it is completely perverted. Yet the communists have the audacity to proclaim that "socialist legality" is more mean-

ingful than democratic or bourgeois justice.

One communist writer states:

Presumption of innocence has likewise been proclaimed in the "Declaration of Rights of Man and Citizen," in 1789, after the victory of the bourgeois revolution in France. In its time it has played a positive role in bourgeois legal procedure. This presumption is acknowledged still in theoretical research works of some bourgeois authors and even sometimes is formulated in the laws, but often is in a glaring contradiction with the bourgeois legal practice.

Now listen to this:

In the USSR, presumption of innocence is not a fiction, but an expression of legality in criminal legal procedure and a guarantee of objective and thorough examination of the case.

The communists utilize the freedoms guaranteed by our form of government as a cloak to mask their assaults on democratic concepts of law and order. They feign the highest solicitude for "civil liberties", "the dignity of the law", "constitutional rights". They pose as martyrs³ in the "battle" to "maintain" the inviolability of personal liberties—liberties which they would not permit if they were in state power.

The assault against the FBI and law enforcement agencies, for example, has been particularly brutal. We have been accused of virtually everything imaginable—"violating civil liberties", "brutality", "thought control", "forgery", "F. B. I.'s tactics . . . cheap, vulgar, intimidating, blackmailing . . .", "F.B.I. is . . . an international police con-

1. Engels wrote: "The law is of course sacred in the eyes of the bourgeoisie, for it was concocted by the bourgeoisie, was passed with the approval of the bourgeoisie, and exists for the benefit and the safeguarding of the bourgeois social order. The bourgeoisie knows full well that, even if one specific law should be injurious to the individual bourgeois, the code as a whole protects the interests of the bourgeois class as a whole. . . To the English bourgeois the law is sacred, for he sees in it his own image and likeness, just as he sees his own image and likeness in God. That is why the policeman's truncheon (which is really his own truncheon) has so comforting an effect on his mind! But the worker fails to see this sacredness. Experience has taught him only too implacably that the law is a scourge of cords, which the bourgeoisie has plaited for him. Consequently, unless circumstances compel, the worker never appeals to the law. . . ." [Italics added.]

2. Very interestingly, according to a December, 1961, news dispatch, lawyers in Poland are being told to forget about defending clients and instead promote communism. This dispatch indicates that the President of the Polish Supreme Court had recommended that private

law practice in the country be abolished. Lawyers should be "collectivized" and made subject to severe disciplinary controls. The purpose of these "reforms"? "To fit the Polish bar for work in a socialist state." "A Polish lawyer", the dispatch stated, "should be an active co-author of state justice in Poland, and . . . the state should have considerable influence over the bar association, including the right of a ministerial veto in bar elections." Very encouragingly, the news item added that an influential section of the Polish Bar opposes the "reforms".

3. The Communist Party even goes so far as to represent itself as a legitimate American institution whose roots go back to the days of the Civil War! In An Open Letter to the American People issued by the National Committee of the Communist Party, USA, (1961) this statement is made: "The Communist Party will defend its right to a legal existence under the Constitution and the Bill of Rights as a legitimate current in American political life, a movement that can trace its existence back a full century into our history, from the Communists who supported Lincoln and the Union through the old Socialist Party."

spiracy . . .". The communist attack against the FBI never ends.

Purposes of Communists' False Diatribes

These false and slanderous diatribes are designed (1) to weaken public confidence in our democratic system, (2) to create fear and hatred on the part of Party members against the FBI and American legal institutions and (3) to pursue the class struggle for the promotion of communism.

A major aim of the communists, in their assaults on law and order, is to convince noncommunists that the entire fabric of our constitutional government is rapidly deteriorating. The communists, as part of their tactics, proclaim that laws directed against the Party are also aimed at noncommunist groups, ". . . the attack against Communists is but the prelude to destroying the liberty and freedom of all". At the present time the Communist Party is openly defying the decision of the Supreme Court on the Internal Security Act of 1950. The Party's National Committee has proclaimed very falsely: "It is not for ourselves alone that we speak . . . in nation after nation the destruction of the democratic rights of all began with the attack 'only' on the Communists. . . The bell tolls not for the Communists alone but for the hard-won rights of all Americans."

The idea here is to convince noncommunists that American liberties are being garrotted—and they should do something about it (that is, actively support the communists in their attack on law and order). "All must act together to save American constitutional liberties. Speak up! Speak up today as an individual or through your organization." What happens? Communist-sponsored resolutions, letter-writing campaigns, mass rallies, pamphlets and books, demonstrations, front groups. The point here is how the Party, through propaganda and agitation, is frequently able to secure the support of noncommunists in its campaign of vilification of our judicial processes. Never do the communists admit that they have enjoyed all the privileges of our legal system (which are available to all) or that their true aim is the total smashing of the very laws they

so hypocritically profess to uphold. Sow seeds of doubt concerning the validity of our democratic institutions—that is part of their tactics.

Denunciation of American legal institutions, moreover, helps inculcate a fear, hatred and contempt of our Government among Party members. These individuals are taught that the FBI, local and state police, and other agencies of bourgeois society (including private lawyers and bar associations) are "enemies". "FBI Agents", one Party document stated, "should be viewed with . . . hatred and contempt . . . People should refuse to have anything to do with the FBI or in any way to cooperate with it. They should refuse to talk to them, to answer their questions, to voluntarily admit them to their homes or to enter their cars or go to their headquarters". Such instructions help create the type of revolutionary Lenin had in mind when he said: "When we have companies of specially trained worker revolutionaries who have passed through a long course of schooling . . . no police in the world will be able to cope with them. . .". To the Party, the inculcation of hatred toward "bourgeois institutions" among their members is absolutely essential.

Program Calls for Attacks on Our Judicial Processes

Then the communist assault against our judicial processes enables the Party to pursue the class struggle, that is, to create conditions favorable for future revolutionary action. The Party, time after time, actively seeks cases involving arrests, trials and convictions for the specific purpose of creating "agitation situations", designed to promote the Party's special interests. The Party falsely charges "illegal arrests", "trumped-up" evidence, "phony justice"—not that the Party is legitimately interested in the welfare of the person concerned, but because these cases might possess elements which can be exploited for the Party's benefit. These "emergencies" are exploited to recruit new members, create fronts, further Party discipline, make contacts with noncommunists. Notice how the Party always screams in these situations for money (a defense fund), for

more money (a publicity fund), for still more money (an emergency fund). To the communists, attack against our judicial institutions is an essential ingredient in the Party's day-to-day program of revolutionary class struggle.

The Communist Party has every right to legitimate legal counsel. It has every right to all the legal processes available to men and women in our free society. However, this does not mean a communist abuse of our legal institutions. It does not mean allowing communists the freedom to rip asunder the integrity of our courts, to turn legal trials into demonstrations, to make the law inoperable in cases in which they have a partisan interest. In the past some lawyers have gone beyond their oaths of office as officers of the court, resorting in cases involving communists to disruptive courtroom tactics, vilification of the judge and contempt for the orderly processes of judicial behavior. The courts must enforce respect from its officers.

Actually the Communist Party has been able to recruit only a very few attorneys. Support of the aims of communism and faithfulness to the law of our land are irreconcilable. A few lawyers are assisting the Party through front groups—which, though allegedly espousing legitimate aims, actually are transmission belts of communism to the masses. These groups are not interested in legitimate social reforms, but advancing the Party's line. Particularly reprehensible is advice from attorneys which would enable the Party to impugn the integrity of the laws of the land. As long as a few members of the legal profession, wittingly or unwittingly, serve these ends, the communists will be the gainers.

How To Cope with Communist Tactics

An analysis of communist tactics in undermining the laws of our land should give us an insight into how to cope with this danger. The answer must be an increased reliance on law, a renewed faith in the democratic processes of government. Just because the communists have no respect for law and order does not mean that we should retaliate in kind. Cries for legal shortcuts, vigilante methods and less reli-

ance on legal processes, though based on the most patriotic of motives, are most shortsighted. These would undermine our cause. May I quote from a most distinguished American jurist, a gentleman who has had first-hand experience with communists in his courtroom. Speaking in November, 1956, before the graduating class of the FBI National Academy in Washington, D. C., Judge Harold R. Medina said:

. . . I would have you always conscious of the fact that your first duty, above all others, is to maintain the integrity of our laws and our freedoms. No convictions based upon some violation of these laws or constitutional rights can possibly benefit our Nation in the long run.

Judge Medina then continued:

What I wish to leave with you today is that all these and others are rights of an accused which come to us because men fought and struggled for freedom. Once lost these precious freedoms are most difficult to regain; once whittled away or disregarded and neglected, they cease to be realities and vanish into thin air. You men stand at the first line of defense; and I would have you be constantly mindful of your trust.

Our fight against communism must be a sane, rational understanding of the facts. Emotional outbursts, extravagant name-calling, gross exaggerations hinder our efforts. We must remember that many noncommunists may legitimately on their own oppose the same laws or take positions on issues of the day which are also held by the communists. Their opinions—though temporarily coinciding with the Party line—do not make them communists. Not at all. We must be very careful with our facts and not brand as a communist any individual whose opinion may be different from our own. Freedom of dissent is a great heritage of America which we must treasure.

Today far too many self-styled experts on communism are plying the highways of America giving erroneous and distorted information. This causes hysteria, false alarms, misplaced apprehension by many of our citizens. We need enlightenment about communism—but this information must be factual, accurate and not tailored to echo personal idiosyncrasies. To quote an old aphorism, we need more light and less heat.

I should like to congratulate the American Bar Association for its excellent work in this field. Many years ago the American Bar Association rec-

ognized the seriousness of the communist danger. Your Special Committee on Communist Tactics, Strategy and Objectives is doing a magnificent job. This Committee's plan, already being implemented, of fostering high-level, dignified, objective seminars on communism through the co-operation of local bar associations throughout the country is excellent. This Committee, moreover, is encouraging a study of the contrasts between communism and free government in our secondary and college-level schools. I feel that the American Bar Association is rendering a distinct public service and should receive the commendation of grateful citizens all over the country.

The majesty of the law, in today's world, is not just a figure of speech or a rhetorical flourish. It is the diadem of American freedom, the reality which distinguishes us from tyranny. It is our heritage, our refuge, our glory.

"Let the ruling classes tremble at the prospect of a communist revolution", proclaimed the *Communist Manifesto*. We tremble not. The ideas of Marx and Engels, though tipped with deceit and chicanery, shall not dislodge the goddess of justice—that Eternal Lady who rules our destiny as a Nation under God.

94-1-369-1751

Views of Our Readers

Members of our Association are invited to submit short communications expressing their opinions, or giving information, as to any matter appearing in the *Journal* or otherwise, within the province of our Association. Statements which do not exceed 300 words will be most suitable. The Board of Editors reserves to itself the right to select the communications or excerpts therefrom which it will publish and to reject others. The Board is not responsible for matters stated or views expressed in any communication.

A Distinction Made by Mr. Hoover

I have read with interest the letter of Mr. Royal Wilbur France in the May, 1962, issue of the *American Bar Association Journal*. The letter is so full of error that it is difficult to determine just what he is trying to prove.

Mr. France seems to feel that Mr. J. Edgar Hoover in his article entitled "Shall It Be Law or Tyranny?" asserts that lawyers should not defend communists in American courts of law. This is not true. Mr. Hoover very emphatically asserts that the communists, though they despise our system of jurisprudence, are entitled to all legal processes available to individuals in our society. Lawyers, says Mr. Hoover, have every legitimate right to offer their legal services on behalf of communists in our courts.

Mr. Hoover brings out, however, what Mr. France overlooks—namely, that the Communist Party, though professing obedience to our laws, is at heart opposed to these very laws. It works diligently to subvert them and overthrow our form of government. Any attorney who gives advice purposefully enabling the Party to impugn the integrity of our laws is not acting in the spirit of our judicial processes. The distinction is most clear.

CLYDE TOLSON

Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

Now Mr. Breuel Takes Issue with Mr. France

I read with some dismay the communication of Royal Wilbur France in the

May, 1962, issue of the *Journal*, in which Mr. France purportedly takes issue with Director J. Edgar Hoover on the matter of representation of communists by attorneys in the United States, which issue was never raised by Mr. Hoover's article but is a "straw man" erected in the mind of Mr. France.

Mr. Hoover's article was in no way "mystifying" to me, but perfectly clear in its import and intent. Mr. France quotes Director Hoover as saying, "Actually the Communist Party has been able to recruit only a very few attorneys." This to me means that very few attorneys have become members of the Communist Party, since I interpret the word "recruit" to mean "solicit for membership".

From this clear statement, Mr. France leaps into a tirade concerning the rights of communists to legal defense and misinterprets Director Hoover's clear statement to mean that Mr. Hoover advocates that lawyers should not defend communists.

I would suggest that Mr. France read before he leaps in the future.

HAROLD C. BREUEL

Miami, Florida

Specialization and Solo Practitioners

Mr. Harrison Tweed's article (*American Bar Association Journal*, May, 1962) stating the case for "healthy specialization" was most persuasive, and this reader found himself almost wholly in agreement. But how does one go about creating a specialized Bar among the two thirds of the nation's lawyers who practice alone?

38
As Mr. Tweed points out, in the partnerships and associations, large and small, it is an easy and natural thing to divide the work into specialties, and this can be done without any discernible effect on the client-attorney relation. But what of the rest of us? Mr. Tweed's assumption that if one becomes a competent specialist, one will attract business, is probably true as a generality, but will it work for me? Should I spend time and money acquiring specialized knowledge with no definite prospect of future employment in the field? When shall I know when I have acquired enough, say, copyright cases to be sure that this is going to be the direction of my practice? When should I begin referring, say, tort cases to other lawyers?

I think these questions are unanswerable, and that unless a drastic move is taken, the two-thirds who go it alone will continue to let their practices be guided by the random distribution of their clients' cases.

Perhaps a more fruitful question for discussion in this area would be, are there too many solo practitioners? I think there are, and I think that something should and could be done to encourage group association by soloists. Nothing would make me happier than to join with some other lawyers in a firm, with the resultant expense-sharing, convenience, and opportunity to specialize. I am sure that in my area there must be hundreds of solo practitioners with the same attitude: but how do we find each other? The soloist who is getting along by himself doesn't have time to, and doesn't like the implications of "shopping around" for an association. When a change in location is made necessary, dozens of practical problems overshadow the opportunity to find an association at that moment. When the right "partner" shows up, other problems often work against the creation of a firm.

I think the solution of the problem lies along these lines:

1. Soloists should be encouraged to form associations in every way possible, through studies by bar associations on the benefits of firm practice to the lawyer and the public, and on the practical aspects of forming part-

(Continued on page 602)

ENCLOSURE
JULY, 1962, AMERICAN BAR JOURNAL

July 30, 1962

[Redacted Address]

Miami, Florida

Dear [Redacted Name]

I have read your letter which was published in the July issue of the "American Bar Association Journal." Yours was an excellent refutation of Mr. France's erroneous conclusions, and I do want you to know how much I appreciate the interest which prompted your letter.

Sincerely yours,

REC- 42

NOTE: See Jones to DeLoach memo dated 7-27-62, captioned "[Redacted] Miami, Florida, Letter Published In July Issue of 'American Bar Association Journal.'"

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UNITED STATE

Memorandum

TO : Mr. DeLoach

DATE: 7-27-62

FROM : M. A. Jones

SUBJECT:

MIAMI, FLORIDA

LETTER PUBLISHED IN JULY ISSUE OF
AMERICAN BAR ASSOCIATION JOURNAL"

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The Director's article "Shall It Be Law Or Tyranny?" was published in the February, 1962, issue of captioned publication. The May issue of this publication contained a letter to the editors from Royal Wilbur France in which France took issue with the Director's article. France interpreted the Director's article as advocating that lawyers should not defend communists in American courts of law. The July issue of this publication contains a letter to the editors from captioned individual in which he criticizes the position taken by France and points out that France misinterpreted the Director's "clear statement" to mean that Mr. Hoover advocates that lawyers should not defend communists.

It is noted that this same issue of captioned publication also contained a letter from Mr. Tolson pointing out the fallacy of France's reasoning.

INFORMATION IN BUFILES:

Bufile 65-99014 reflects that one EOD'd as a Special Agent on 3-2-42 and resigned on 2-27-46, services satisfactory. He resigned for the purpose of returning to New York City to practice law, and we have had no correspondence with him since that time.

Bufile 65-59184 reflects General Counsel, American Airmotive Company, Miami, Florida, described as a former Bureau Special Agent, was interviewed during January, 1951, in connection with the matter captioned, "Nahum Bernstein, Espionage - Israel." A

No derogatory references to were located.

CURRENT ADDRESS:

REC-42 94-1-369-1752
 The current Greater Miami telephone directory reflects a listing for Miami, who is an attorney with offices

in the DuPont Building, Miami.

RECOMMENDATION:

AUG 16 1962

25 AUG 8 1962

That the attached letter of appreciation be sent to

Enclosure
 CJH:ear

SENT DIRECTOR
 7-30-62

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 8/13/62
TRAINING AND INSPECTION DIVISION
ATT: Inspector H.L. EDWARDS

FROM : SAC SAN FRANCISCO (62-4008)

SUBJECT: AMERICAN BAR ASSOCIATION
ANNUAL MEETING
SAN FRANCISCO, CALIFORNIA
1962

There is forwarded herewith the following material:

- 1) One complete set of newspaper clippings of the above convention.
- 2) The balance of newspaper clippings to complete the set now in possession of Inspector EDWARDS (39 items).

2 - Bureau
1 - Package
1 - San Francisco
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94-1-369
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August 14, 1962

PERSONAL

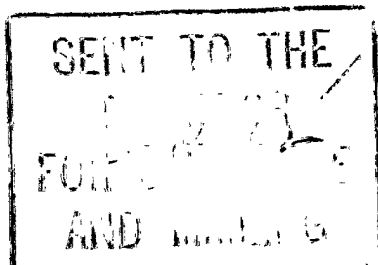
Honorable Sylvester C. Smith, Jr.
1 Merrywood Drive
West Orange, New Jersey

My dear Mr. Smith:

Inspector H. Lynn Edwards has advised me of your recent election as President of the American Bar Association, and I want to take this opportunity to add my congratulations to those you have already received on this memorable occasion. This honor is certainly an expression of confidence in your ability and is a clear indication of the esteem in which you are held by your associates.

Your many friends in the FBI have long valued your active support and, of equal importance, we have welcomed your friendship. They join me in extending our very best wishes for continued success and the hope that the future will be filled with personal satisfaction and happiness.

Sincerely yours,



NOTE: Smith is on the Special Correspondents' List. Home address verified in phone directory. See Morrell to DeLoach memo of same date captioned, "American Bar Association Annual Meeting, San Francisco."

JCF:bsp
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REC-2 94-1-362-1753

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August 14, 1962

PERSONAL

203 South LaSalle Street
Chicago 4, Illinois

Dear [redacted]

I have learned of your selection as
Chairman of the American Bar Association's Standing
Committee on Education Against Communism.

On behalf of my associates, I want to
extend our sincere congratulations. This is an
expression of confidence in your ability and a splendid
tribute to you, and I know you will receive a great
deal of satisfaction in serving in this capacity. Please
accept our very best wishes for your endeavors to
meet with every measure of success.

Sincerely yours,

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8-14-62

REC-7

NOTE: [redacted] is on the Special Correspondents' List. See
Morrell to DeLoach Memo of same date captioned "American Bar
Association Annual Meeting, San Francisco."

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August 14, 1962

PERSONAL

Mr. Walter E. Craig
2020 East Bethany Home Road
Phoenix 16, Arizona

Dear Mr. Craig:

It is a pleasure to congratulate you on your election as President-Elect of the American Bar Association. This is indeed an honor, and I know you must take considerable pride in being chosen for this position for it is truly reflective of the high respect you enjoy among your colleagues in the legal profession.

My associates join in offering our best wishes for a thoroughly successful and rewarding term in office.

Sincerely yours,

NOTE: Mr. Craig is on the Special Correspondents' List. See Morrell to DeLoach Memo captioned "American Bar Association Annual Meeting, San Francisco."

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REC-7

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August 14, 1962

Honorable J. Frank Coakley
Bellevue-Stratford Hotel
Philadelphia, Pennsylvania

My dear Mr. Coakley:

I have been advised of the very kind
comments you made in a speech you gave at the
American Bar Association annual meeting in
San Francisco. This generous support of the FBI
and my direction of it is most encouraging, and I
want you to know of my appreciation.

Sincerely yours,
J. Edgar Hoover

1 - San Francisco
Reurtel 8-9-62

NOTE: Bufiles contain no derogatory information concerning
Mr. Coakley and he has been characterized as a great admirer of the
Director and the Bureau. Dissemination of his itinerary has been
handled separately. Correct spelling of the Bellevue-Stratford Hotel
per Philadelphia telephone directory.

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22 AUG 15 1962

1-1756

ADDRESS BY
ATTORNEY GENERAL ROBERT F. KENNEDY
AMERICAN BAR ASSOCIATION
HOUSE OF DELEGATES
SAN FRANCISCO, CALIFORNIA
AUGUST 6, 1962

94-1-369 1757
ENCLOSURE

I am delighted to have this chance to speak today before this convention of the American Bar Association. Our system of judicial administration requires the closest possible cooperation between the Department of Justice and the lawyers of the land; and as Attorney General, I appreciate the opportunity to discuss matters of common concern with the distinguished representatives of the bar who I find in this room today.

Every department in the Executive Branch regards its mission as indispensable to the functioning of our democracy. But I cannot help feeling that the Department of Justice has a special and urgent responsibility, for the quest for justice is the very heart of the democratic experiment.

This, in my view, is a central and continuing obligation of the Attorney General's office as it must be for every lawyer. In meeting that responsibility I am heartened by the knowledge that we have the support, not only of our whole ethical and political tradition, but more particularly of the men and women who must see that the system operates and expands in this modern society of immense and unforeseen problems of men, like yourselves, trained in the ideals and processes of Anglo-Saxon justice.

It has never been more important than it is today that free society display its capacity for justice. For here at home and all around the globe our system stands on trial before the world--our beliefs and our actions are pitted against a determined and resourceful and disciplined adversary--while in our own land urbanization,

automation, the demand for equal rights in an age of bigness, all bear down upon us with a host of new and pressing problems.

Today, the advances of technology have become so rapid that frequently they tend to outstrip our capacity to deal with their impact upon our social and industrial system. Land urbanization has intensified a host of old problems, besides introducing new ones.

Automation is causing a situation in many areas of our country similar to 19th Century England when the handicraft of a feudal age was replaced by the machine-craft of the industrial age. The rise of associational activity has brought its special problems in the field of monopoly and restraint of trade, in the organizational activities of labor unions, and in the dark and dirty world of crime.

The very complexity of modern life makes it easy for individual liberties to be disregarded and more and more the American people must rely on the law for the protection of these liberties.

It is here that you and I have such a heavy responsibility. For it rests on us to be certain that the legal protections so necessary for the individual do not become merely fine declarations in the lawbooks but that they actually have some real and genuine meaning for the human beings to whom they have been granted. This task requires the care and attention of the whole legal profession.

At the Department of Justice, we are just part of this effort and as such have our limitations.

We recognize for instance that the line between what the federal government can and should do and what state and local

authorities can and should do is often shadowy. Frequently it is the sum total of these efforts that counts. For this reason it is vital that we work closely and continuously with local authorities in achieving our common objectives.

No issue brings the role of the individual in to sharper focus than that of civil rights. I am proud of the record of the Department of Justice in recent months in striving to assure all citizens the full rights guaranteed them under the Constitution of the United States.

Assistant Attorney General Burke Marshall and his aides are performing a distinguished service in this respect--a service which goes far beyond instituting and prosecuting cases in the federal courts. We have not filed a single civil rights case without first going to the local authorities. We have informed them of what appears to us to be a violation of the law, for, the Constitution being the law of the land, the local authorities--judges, prosecutors and lawyers--have an equal obligation to protect and defend it.

In the majority of cases, the local officials have taken action and nothing further has been required of the federal government. There are no front page news stories, but there are changes. There are results and they are brought about by local officials--not the government in Washington. In the long run this is what is of real importance in this country.

Sometimes the local authorities have disagreed with us about the law, and we have gone to court. On other occasions, local

authorities were unwilling to remedy the situation, or could not because of what they believed to be the political facts of life, and so court action was necessary.

In all this effort Burke Marshall has been in the forefront, negotiating, prodding, advising, persuading--working with explosive problems and devising solutions which fulfill the law of our land and the ideals of our nation. This is the historic role of the lawyer in the fullest sense.

Another area of concern to every private citizen and to every lawyer is the war against organized crime. Crime is not only a cause of economic waste but far worse than that, it is a reproach to the moral pretensions of our society--and advertises to the world the gap between our pronouncements and our performance.

The battle against crime must have a top priority in protecting individual rights. We have made some encouraging gains in the last twenty months.

The Criminal Division, for the first time is spearheading a coordinated drive by all federal law enforcement agencies to reduce the entrenched power and wealth of organized crime to the point where it can be controlled by local authorities. Desperately needed legislation has been enacted in a bipartisan effort. Intensive investigations are being coordinated into the corruption of public officials where unfortunately the inroads of organized crime are particularly frightening. We are moving forward in an organized systematic way but we have far to go.

A third field of prime consequence to individual rights is the protection of the competitive forces in our system of private enterprise. This is, perhaps, the most technical and complicated field with which the Department is concerned.

Obviously, there are certain areas of the antitrust law where the guidelines have been set so definitively that no excuse for transgressing them properly can be made. This is true, for example, of conspiracies to fix prices or to apportion territories. In such cases there can be no hesitancy on the part of the Government to act.

In many other areas, however, there are complex economic situations which require deep study and understanding when action is contemplated. The antitrust laws should be vigorously enforced but they are weapons which should be utilized to help the consumer, the businessman both large and small--and to protect and preserve the free enterprise system.

In all of these matters, as well as the many others that come within our mutual area of responsibility, I cannot help but be concerned as to whether, despite the efforts of dedicated public officials and conscientious lawyers--there is in fact equal justice before the law here in the United States. I am speaking now of a concern for whether there is true equality in the administration of justice.

I ask you--Do members of ethnic or political minorities or people who speak our language imperfectly or who have low mentality

or disturbed minds; or the largest group, those who are poor, really receive the same protection before the courts as the rest of our citizens? I say that all too often they do not.

I need hardly say to this audience that everyone in this land--whether immigrant or pauper, alleged crook or communist--is innocent until proven guilty and is entitled to as fair a trial and as competent representation as say, leading citizens accused of price-fixing in business or of corruption in labor.

It seems to me that our obligation--your obligation as attorneys in private practice and my obligation as Attorney General--is to make the assurance of fair and equal treatment to all before the law one of our first concerns.

Judge Learned Hand, speaking at the 75th anniversary of the Legal Aid Society of New York, said if we are to keep our democracy, there must be one commandment:

"Thou shalt not ration justice."

Let me discuss with you just a few of the areas which must cause us all concern. One is the problem of the representation of indigent defendants. This is not a problem of charity, but of justice.

Mr. Justice Black points out in Griffin v. Illinois, "There can be no equal justice where the kind of trial a man gets depends upon the amount of money he has."

This is true not only at the time of trial, but during the entire range of legal procedure until the last issue is resolved.

Over a year ago, I asked a distinguished committee, headed by Professor Francis Allen of the University of Michigan Law School, to study what could be done to protect the rights of indigents in the federal courts. The committee has found that much is being done in certain areas of the country. But its study shows that much, much more needs to be done.

Last year, almost thirty percent of the defendants in the 34,008 criminal cases in federal courts could not afford counsel. In the District of Columbia, where the Federal district court hears all felony cases, over half the defendants had to be assigned attorneys. The situation in the states is comparable.

Federal and most state jurisdictions now hold that the right to counsel at trial is an affirmative right which must be extended by the Government when the defendant cannot provide his own.

Last June, the Supreme Court called for argument upon the question of right to counsel and whether the decision in Betts v. Brady should be overruled.

The recent decision in Mapp v. Ohio suggests by analogy that a majority may now hold that the Fourteenth Amendment requires states to provide counsel for indigent defendants in all cases involving serious crimes. And a recent decision by the Oregon Supreme Court has held that in serious crimes the state must not only provide counsel but experienced, competent counsel.

The provision of counsel is indispensable to a democratic system of justice. But translating this principle into practice is difficult. As with most problems, one of the stumbling blocks is lack of money.

And as Professor Allen's committee discovered the problem does not end by merely providing an attorney. There are the added frequently expensive problems such as bail, pretrial investigations and appeals.

The problem of bail for instance is one that has received far too little attention. Professor Allen's committee has established conclusively that the question of whether a man will be kept in jail pending trial or be free is directly influenced by how wealthy he is.

A study of cases in the Southern District of New York indicates that over one-third of those required to post bail of \$500 or less could not do so. When the bail was set at between \$500 and \$1500, over half were unable to post it. And there is reason to believe that many of those unable to provide bail, presented no substantial risk of non-appearance. Their poverty deprived them of their liberty.

Further, the problem of establishing innocence during the crucial pretrial period was made that much more difficult.

Bail protects the interests of society in assuring a defendant's appearance at trial and it also protects the interests of the individual in allowing him to be free to establish his innocence.

But the indigent defendant who cannot offer security for his appearance is denied this opportunity. He cannot provide for his family and for his defense, and cannot take an active part to prove his innocence.

Preliminary studies in the Southern District of New York also indicate that those who cannot make bail are more often convicted and receive stiffer sentences than those who can.

The rights of the indigent after the trial is over--in the appeal stage is equally a matter of concern.

A series of court decisions in the last twenty years has greatly expanded the responsibility of society to help the indigent perfect his appeal. He is now pledged virtually the same treatment as one who can pay, and this is as it must be.

But, again, the problem of translating this right into reality is difficult. Appellate work is time consuming and requires the highest professional ability.

It usually is an undue burden to call upon counsel, who has contributed his services at trial, to continue on appeal without compensation. Competent new counsel is sometimes difficult to obtain. In this connection I wish to congratulate the bar of the City of San Francisco on what it has done in providing counsel for indigent persons on appeal.

We have come a long way since 1876 when a group of German immigrants banded together in New York to form the first legal aid society, but we have not come far enough.

Since 1937, the Department of Justice, and for many years the American Bar Association, have supported legislation which would appropriate funds to help indigent defendants in federal courts.

Now 25 years later it is still pending before the Judiciary Committee of both Houses of Congress. The time to translate good intentions into law is long overdue. I ask for your help as a group or as individuals in working for its enactment.

I recognize that much has been done in many local areas to cope with this problem. I congratulate you on what you have done. Yet, the problem is far from solved. Whatever device is used, it is to the bar that society must turn for legal services to be provided for the indigent. It is inescapably a responsibility of the legal profession--a responsibility that none of us can avoid.

Another problem which is closely related and in some ways is even more difficult is the defense of those who do not fall into the category of indigent but who have limited resources available for their defense. Over forty percent of our families have incomes of less than \$5,000 a year. These families cannot bear the cost of a complicated and extended trial and appeal which could easily equal their annual income.

Indeed, it can be the case that an indigent defendant, through the services of a first rate volunteer attorney, may receive a better defense than one who pays a small fee and gets incompetent or indifferent counsel.

Legal services, particularly defense in criminal cases,

are not like houses or automobiles where those with more money can buy better products without affecting the basic functioning of society. When one defendant cannot afford a complete defense justice is being rationed.

Today the cost of adequate defense can be high. Psychiatric and highly technical issues require expensive research, investigation and expert witnesses for the defense as well as for the government.

In a recent case in which the government was involved the defendant spent nearly \$500,000 in legal and accounting fees in defending himself. He is now in prison. But the point is that we must be certain that the average citizen of a family income of \$5700-- the national median-- can afford comparable efforts to protect his freedom. There is no question that a man prepared to spend \$500,000 is far more likely to retain his freedom than a man who can afford only a few thousand dollars.

The amount of money which can be expended on defense should not affect the outcome of the trial. If justice is priced in the market place, individual liberty will be curtailed and respect for law diminished.

There is no easy answer to this problem; again, it lies with the bar itself. Professor Allen's committee is continuing its study of the problem and will have recommendations to make before the end of the year. I would like to ask for recommendations and ideas from the bar. I think it would be most important and from all of this I would hope that we would develop methods whereby our finest legal

talent would not be reserved solely for those who could pay without difficulty and an occasional indigent defendant.

I would hope from this effort that leading lawyers and legal scholars would be in court on a regular basis pleading for defendants of moderate circumstances. As long as a man is handicapped before the bar of justice because of his poverty, our task as lawyers is not done.

Fortunately, no generation of lawyers as yet has lost that desire for a just society that will preserve the dignity of man and his individual right to search for happiness.

This Association and its kindred associations in our fifty states and hundreds of counties and cities will, I feel sure, keep that desire aflame.

Let us as Theodore Roosevelt said, "boldly face the life of strife, resolute to do our duty well and manfully; resolute to uphold righteousness by deed and by word; resolute to be both honest and brave, to serve high ideals, yet use practical methods. Above all, let us shrink from no strife moral or physical."

A bar dedicated to the preservation of our basic freedoms, pledged to the search for truth, is a main bulwark of our democratic society which can aid mightily to achieve what President Kennedy recently described as a "world of law and free choice, banishing the world of war and coercion."

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI

DATE: 8/10/62

FROM : SAC, San Francisco (62-4008)

SUBJECT: AMERICAN BAR ASSOCIATION CONVENTION
SAN FRANCISCO, CALIFORNIA
AUGUST 6-9/62

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Malone	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Enclosed for the completion of the Bureau's file are two copies of the address of Attorney General ROBERT F. KENNEDY before the House of Delegates, American Bar Association, Fairmont Hotel, San Francisco, California, on August 6, 1962.

2 - Bureau (2 encls.)
2 - San Francisco
FLP:rn
(4)

REC-30

67-1 347-1757

56 AUG 22 1962

UNITED STATES GOVERNMENT

Memoranda

TO : MR. TOLSON

DATE: August 9, 1962

FROM : J. P. MOHR

SUBJECT: NATIONAL CRIME CONFERENCE

Tolson ☒
 Belmont ☒
 Mohr ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Malone ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele. Room ☒
 Holmes ☒
 Gandy ☒

Wick
 W.C.
 H.L.
 J.P.M.
 S.J.
 A.J.
 S.J.

Earlier this year, the American Bar Association (ABA) president, Sylvester Smith, had indicated to Inspector H. L. Edwards that during his tenure as president of the ABA he was seriously considering holding a national crime conference. Smith was looking for some type of program which he could use during his term in office which would give him some stature. The Director approved Edwards' talking to Smith with a view to dissuading him from holding such a conference because it would serve no useful purpose and would only confuse and confound the law enforcement profession.

MEMBER OF SUBJECT ORGANIZATION:

calif. [] an employee with Prudential who travels with Smith on his more important engagements, is highly regarded by Smith and [] can talk to him. I have been in contact with [] on a number of occasions and he is in total agreement that nothing worse could happen than to have a national crime conference as suggested by Smith. [] told me that he would continue to talk against it with Smith at every opportunity and, specifically, he was going to have a showdown with Smith on the matter during the ABA meeting in San Francisco.

[] called me yesterday and said he had a long talk with Smith in his suite in San Francisco and Smith is not going to do anything about the national crime conference. He has promised [] that if he entertains any more thoughts of holding the conference he will first check with [] and with me. He did tell [] however, that Robert Kennedy, the Attorney General, was the one who gave him the idea of holding such a conference.

[] stated that Smith gave a talk on August 7, 1962, in San Francisco before the Rotary Club and he selected as his topic communism. He said Smith did an outstanding job and made many references to the Director's book and, specifically, the new book, "A Study of Communism." [] said that Smith was given one of the warmest receptions at this meeting that any other speaker before a Rotarian group has received in many years.

- 1 - Mr. Belmont
- 1 - Mr. Evans
- 1 - Mr. DeLoach
- 1 - Mr. Malone
- 1 - Mr. H. L. Edwards

JPM:hif

(7)

EX-116

REC-13

8-9-62
SENT DIRECTOR

AUG 24 1962

Memorandum Mr. Mohr to Mr. Tolson
Re: NATIONAL CRIME CONFERENCE

I took the opportunity to remind [] that we were most anxious to have the ABA adopt the Director's book since the Director had written it at the request of the ABA and most certainly it was desirable that they go on record now as backing the book 100 per cent, endorsing its use as a textbook for schools and other groups interested in the study of communism. [] said he would contact Smith immediately to assure that he took appropriate steps to insure that the ABA endorsed the Director's book. b6 b7C

The foregoing is submitted for record purposes.

JAM *V. Kene*

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
AUG 10 1962

TELETYPE

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Callahan
Mr. Conrad
Mr. DeLoach
Mr. Evans
Mr. Malone
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

URGENT 8-9-62 9-22 PM PDST EMK

TO DIRECTOR, FBI ATTN - MESSRS. MOHR, MALONE AND DE LOACH

FROM INSPECTOR H.L. EDWARDS 8 P

AMERICAN BAR ASSOCIATION ANNUAL MEETING, SAN FRANCISCO, CALIFORNIA.

EXCELLENT NEWSPAPER PUBLICITY RECEIVED IN ALL FOUR SAN FRANCISCO AREA PAPERS AND STORY ALSO CARRIED BY UPI CONCERNING COMMENDATION OF DIRECTOR-S FORTHCOMING BOOK. CLIPPINGS BEING SEPARATELY SUBMITTED. CONSIDERABLE FAVORABLE COMMENT HAS BEEN HEARD AT ABA MEETING FROM NUMEROUS KEY MEMBERS OF THE HOUSE OF DELEGATES CONCERNING THE COMMITTEE-S COMMENDATION ACTION.

INCOMING ABA PRESIDENT, SYLVESTER C. SMITH, MADE HIS FIRST MAJOR SPEECH THIS WEEK AT A SAN FRANCISCO ROTARY CLUB LUNCHEON. HE EMPHASIZED THE NEED FOR TEACHING THE DANGER AND NATURE OF COMMUNISM AND THE ADVANTAGES OF DEMOCRACY. HE QUOTED THE DIRECTOR AND DEPARTED FROM HIS PREPARED TEXT TO FURTHER PRAISE THE DIRECTOR-S PRE-EMINENCE. HE HIGHLIGHTED THE NEED FOR BETTER TEXTBOOKS ON COMMUNISM. COMPLETE TEXT OF SPEECH SEPARATELY SUBMITTED.

JOHN SATTERFIELD-S MAJOR SPEECH AS OUTGOING PRESIDENT TO THE ABA ASSEMBLY DEVOTED THE MAJOR PORTION TO COMMUNISM AND QUOTED THE DIRECTOR
END PAGE ONE

67 AUG 23 1962

MR. MOHR FOR THE DIRECTOR

SENT DIRECTOR
8-10-62

PAGE TWO

AND REFERRED TO HIM AS FOLLOWS - QUOTE ONE OF THE GREATEST LEADERS OF OUR TIME IS J. EDGAR HOOVER, A MAN UTTERLY FEARLESS IN EVERYTHING HE SAYS AND DOES TO FORWARD THE BEST INTERESTS OF THE UNITED STATES OF AMERICA. UNQUOTE. THE QUOTE USED BY SATTERFIELD DEALT WITH THE NEED FOR KNOWING WHAT COMMUNISM REALLY IS, HOW IT OPERATES AND THE IMPORTANCE OF AVOIDING INDISCRIMINATE LABELS.

IN THE SAME SPEECH SATTERFIELD ALSO MADE A STRONG PLEA FOR STATES RIGHTS AND WARNED OF THE ENCROACHMENT OF THE FEDERAL GOVERNMENT. SATTERFIELD MADE NO MENTION IN THE DELIVERED SPEECH CONCERNING THE FUGITIVE FELON ACT AS AN EXAMPLE OF EXPANDING FEDERAL POWER BUT IN THE PREPARED, PRINTED SPEECH WHICH THE PRESS SUBSEQUENTLY RECEIVED, THE FUGITIVE FELON ACT WAS MENTIONED AS AN EXAMPLE OF THE FEDERAL GOVERNMENT USING ITS POWER TO CIRCUMVENT THE UNIFORM EXTRADITION ACT. APPARENTLY, SATTERFIELD LABORED UNDER THE IMPRESSION THAT FEDERAL REMOVAL PROCEEDINGS ARE USED TO AVOID THE MORE CUMBERSOME EXTRADITION PROCEDURES.

DURING A PRESS INTERVIEW WITH ATTORNEY GENERAL ROBERT KENNEDY FOLLOWING SATTERFIELD-S SPEECH, KENNEDY STATED THAT SATTERFIELD WAS UNINFORMED ON THIS MATTER.

END PAGE TWO

PAGE THREE

EDWARDS CONTACTED SATTERFIELD AFTER NOTING THE PRESS REFERENCE TO THE FUGITIVE FELON ACT AND AFTER OBTAINING A COPY OF THE SPEECH TEXT RELEASED TO THE PRESS AND NOTING THEREIN THE ERRONEOUS IMPRESSION HAD BY SATTERFIELD CONCERNING THE OPERATION OF THE FUGITIVE FELON ACT.

EDWARDS TOLD SATTERFIELD THE FUGITIVE FELON ACT WAS REGARDED UNIFORMLY BY LOCAL LAW ENFORCEMENT AS AN INVALUABLE SERVICE IN ADMINISTERING THEIR CRIMINAL LAW., ALSO THAT THE BUREAU ENTERED THESE CASES ONLY WHEN OFFICIALLY REQUESTED TO DO SO BY THE LOCAL LAW ENFORCEMENT AGENCY AND/OR LOCAL PROSECUTOR, AND ONLY AFTER RECEIVING IN WRITING FROM THE PROSECUTOR ASSURANCE THAT THE FUGITIVE WILL BE EXTRADITED BY THE STATE WHEN APPREHENDED BY FBI AGENTS ACTING UNDER THE FUGITIVE FELON ACT., FURTHER, THAT THE INTENT OF CONGRESS IN PASSING THIS LEGISLATION WAS TO PROVIDE A MUCH NEEDED COOPERATIVE SERVICE TO LOCAL AUTHORITIES AND NOT IN ANY SENSE TO PRE-EMPT THE LOCAL POLICE POWERS. SATTERFIELD WAS ALSO REMINDED THAT THE FUGITIVE FELON ACT WAS ENDORSED BY THE ABA IN AUGUST NINETEEN SIXTY-ONE.

SATTERFIELD WAS VISIBLY DISTURBED, PROFUSELY APOLOGETIC, AND HE IMMEDIATELY ADMITTED HE HAD FAILED TO TAKE THE PRECAUTION OF

END PAGE THREE

PAGE FOUR

HAVING THIS PORTION OF HIS SPEECH CHECKED BY EDWARDS AS HE HAS PREVIOUSLY DONE ON OCCASIONS. HE EXPLAINED HE HAD BEEN SO HARASSED BY THE NUMEROUS PRESSURES OF HIS PRESIDENCY THAT HE ACTUALLY DID NOT GET THE TEXT OF THE SPEECH FINALIZED UNTIL THE LAST MINUTE. SATTERFIELD ADVISED THAT HE DID NOT CONSIDER THIS MATTER OF THE FUGITIVE FELON ACT TO BE SUFFICIENTLY IMPORTANT TO EVEN INCLUDE IT IN HIS ACTUAL ADDRESS AND HE DELETED IT FROM THE SPEECH AT THE TIME HE ADDRESSED THE ASSEMBLY.

HE WISHED TO REASSURE THE DIRECTOR THAT HE HAD INTENDED NO CRITICISM OF THE FBI BUT WAS INTENDING TO ESTABLISH THE POINT OF THE POTENTIAL THREAT OF FEDERAL DOMINATION. SATTERFIELD ASKED EDWARDS IF IT WOULD BE POSSIBLE TO OBTAIN AN INFORMAL MEMORANDUM OF THE TRUE FACTS CONCERNING THE FUGITIVE FELON ACT AND ITS OPERATION. HE STATED THIS WOULD ENABLE HIM TO TAKE FUTURE CORRECTIVE ACTION AS MIGHT APPEAR POSSIBLE. EDWARDS FEELS THIS SHOULD DEFINITELY BE DONE SO THAT THE SPEECH AS PRINTED IN THE OFFICIAL BAR PROCEEDINGS WILL BE FACTUALLY CORRECT ON THIS POINT.

RECOMMEND THAT CRIME RECORDS DIVISION PREPARE A BLIND MEMO SHOWING THE HISTORY AND ALL PERTINENT INFORMATION CONCERNING THE PROVISIONS, OPERATIONS, PROSECUTIVE POLICY AND BENEFICIAL RESULTS TO LOCAL LAW EN-
END PAGE FOUR

*Being
handled.
JPM*

PAGE FIVE

FORCEMENT CONCERNING THIS ACT. SAME SHOULD BE MADE AVAILABLE TO EDWARDS FOR PERSONAL TRANSMITTAL TO SATTERFIELD AND APPROPRIATE FOLLOW-THROUGH ACTION TO ENDEAVOR TO HAVE OFFICIAL TEXT CORRECTED.

THE ABOVE SPEECH WAS SATTERFIELD-S LAST OFFICIAL MAJOR ADDRESS AS ABA PRESIDENT.

THROUGHOUT HIS TWO-YEAR TERM AS PRESIDENT AND PRESIDENT-ELECT HE HAS BEEN FAVORABLY REGARDED FOR THE OBJECTIVE, BALANCED MIDDLE-OF-THE-ROAD COURSE CONCERNING STATES RIGHTS WHICH HE HAS FOLLOWED. INFORMED SOURCES IN THE ABA CONFIDENTIALLY ADVISED THAT THEY BELIEVED THAT THIS LAST SPEECH, SLANTED STRONGLY INFAVOR OF STATES RIGHTS, IS SATTERFIELD-S BID TO REGAIN FAVOR IN HIS HOME STATE OF MISSISSIPPI. THE CONSENSUS OF MANY CONFIDENTIAL REMARKS ABOUT THIS SPEECH IS THAT IT WAS IN POOR TASTE ON STATES RIGHTS ASPECTS.

THE SAME SOURCES WERE LAVISH IN THEIR PRAISE OF SATTERFIELD FOR HIS CONTINUING AND UNCHANGING EMPHASIS ON THE THREAT OF COMMUNISM.

SATTERFIELD HAS BEEN DESIGNATED BY SYLVESTER SMITH AS THE ABA BOARD OF GOVERNORS LIAISON WITH THE NEW STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM, AND IN THIS CAPACITY HE WILL HAVE GREAT WEIGHT IN

END PAGE FIVE

PAGE SIX

OBTAINING BOARD OF GOVERNORS AND HOUSE OF DELEGATES APPROVAL FOR ALL PROGRAMS OF THIS COMMITTEE. SATTERFIELD IS MOST ANXIOUS TO DO EVERYTHING POSSIBLE TO FURTHER THE USE AND WIDE DISTRIBUTION OF THE DIRECTOR-S NEW TEXTBOOK.

IN THE FINAL SESSION TODAY OF THE STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM CHAIRED BY SATTERFIELD PARTICIPATED b6
b7C AND STATED THAT HE HAD BEEN GRATIFIED DURING A LUNCHEON WITH ATTORNEY GENERAL KENNEDY MONDAY TO HEAR THE ATTORNEY GENERAL ON HIS OWN INITIATIVE MENTION TO SATTERFIELD THE ATTORNEY GENERAL-S STRONG INTEREST IN CONTINUING TO STRESS THE WORK OF THE ABA OPPOSING COMMUNISM AND URGING EDUCATION OF THE PUBLIC IN THIS FIELD. SATTERFIELD IS SENDING THE ATTORNEY GENERAL A LETTER EXPRESSING FORMAL APPRECIATION OF HIS SUPPORT OF THIS PROGRAM AND URGING THE ATTORNEY GENERAL TO GIVE THE COMMITTEE THE BENEFIT OF HIS IDEAS AND ALSO THANKING HIM FOR THE OUTSTANDING COOPERATION ALREADY RECEIVED FROM THE FBI AND DEPARTMENT OF JUSTICE AS A WHOLE.

ALLEN DULLES ALSO PARTICIPATED IN THIS COMMITTEE MEETING AS A GUEST WHILE HERE TO ADDRESS THE ASSEMBLY IN EXTEMPORANEOUS REMARKS. DULLES CONSIDERED ONE OF THE GREATEST CURRENT NEEDS IS FOR THIS COUNTRY TO FACE

END PAGE SIX

100-100000-100000

PAGE SEVEN

UP TO THE NECESSITY OF LEARNING JUST WHAT THE REAL APPEAL OF COMMUNISM IS. DULLES MENTIONED SOME IMPORTANT DEVELOPMENTS SUCH AS THE PRESENT TACTICS WHEREBY KHRUSHCHEV IS TRYING TO USE THE LAW AS A VEHICLE TO DO ILLEGAL THINGS AND THUS GET AWAY FROM THE IMAGE STALIN HAD CREATED WHICH ASSOCIATED COMMUNISM WITH TERROR AND DEPRAVATION OF LEGAL PROCESS.

ON WEDNESDAY, AUGUST EIGHT, AT THE AMERICAN JUDICATURE SOCIETY BREAKFAST MEETING SUPREME COURT JUSTICE TOM C. CLARK WAS GIVEN THE SOCIETY-S FIRST DISTINGUISHED SERVICE AWARD FOR HIS PERSONAL CONTRIBUTION TO THE JUDICIAL REFORM MOVEMENT. THE SOCIETY IS CELEBRATING ITS GOLDEN ANNIVERSARY, HAVING BEEN FOUNDED JULY FIFTEEN, NINETEEN THIRTEEN.

IN CRIMINAL LAW SECTION SESSION WEDNESDAY AFTERNOON, J. FRANK COAKLEY, DISTRICT ATTORNEY, ALAMEDA COUNTY, CALIFORNIA, PARTICIPATED IN THE PANEL ENTITLED -QUOTE WHO IS WINNING THE CRIME WAR. UNQUOTE. COAKLEY PAID HIGH TRIBUTE TO THE DIRECTOR AND THE FBI IN A PREPARED SPEECH, WHICH WAS FILLED WITH NUMEROUS COMMENDATORY REFERENCES TO THE BUREAU.

COAKLEY-S WIFE AND SON, [REDACTED] DEPART SAN FRANCISCO AUGUST ELEVEN AND WILL ARRIVE PARIS SEVEN TWENTY A.M., AUGUST TWELVE, WITH RESERVATIONS AT HOTEL DE FRANCE AND CHOISEUL AND ARE SCHEDULED ON THAT DAY TO JOIN

END PAGE SEVEN

PAGE EIGHT

THEIR SON [] WHO HAS BEEN SELECTED TO PRESENT A PAPER IN STOCK-
HOLM, SWEDEN, AT THE THIRD CONGRESS OF THE INTERNATIONAL COUNCIL OF AERO-
NAUTICAL SCIENCES. DISTRICT ATTORNEY COAKLEY WILL BE IN PHILADELPHIA
AUGUST FOURTEEN THROUGH SEVENTEEN ATTENDING A NATIONAL DISTRICT ATTORNEYS
CONFERENCE AND WILL DEPART AUGUST SEVENTEEN TO JOIN WIFE AND SON FOR TWO-
MONTH TRAVELING TOUR OF EUROPE.

b6
b7c

RECOMMEND LEGAT, PARIS, BE CABLED INSTRUCTIONS TO MEET MRS. COAKLEY
AND SONS AND EXTEND ALL POSSIBLE COURTESIES. DETAILED ITINERARY OF
COAKLEYS BEING SEPARATELY FORWARDED TO LEGATS VIA SAN FRANCISCO OFFICE
AND BUREAU WITH RECOMMENDATIONS LEGATS BE INSTRUCTED TO EXTEND COURTESIES
THROUGHOUT TOUR, HOWEVER, CABLE TO PARIS NECESSARY IN VIEW OF TIME ELE-
MENT.

ALSO RECOMMEND CRIME RECORDS DIVISION SEND A LETTER OF APPRECI-
ATION TO COAKLEY FOR HIS SPEECH REFERENCES TO THE DIRECTOR AND FBI,
ADDRESSED TO COAKLEY AT BELLEVIEW STRATFORD HOTEL, PHILADELPHIA. PENN-
SYLVANIA.

END AND ACK PLS

12-52 AM OK FBI WA NH

TU DISC

cc- Mr. Malone

+
Mr. DeLoach

+
Mr. Tavis

Letter to Coakley
8-14-62
RJA: nlt

10 10 10
FBI
10 10 10

9

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION
AUG 6 1962
TELETYPE

Mr. Tolson ✓
Mr. Belmont ✓
Mr. Mohr ✓
Mr. Callahan ✓
Mr. Conrad ✓
Mr. DeLoach ✓
Mr. Evans ✓
Mr. Malone ✓
Mr. Rosen ✓
Mr. Sullivan ✓
Mr. Tavel ✓
Mr. Trotter ✓
Tele. Room ✓
Miss Holmes ✓
Miss Gandy ✓

URGENT 8-6-62 3-25 PM PDST VEG
TO DIRECTOR, FBI

ATTENTION.. ASSISTANT DIRECTOR MALONE

FROM INSPECTOR H. LYNN EDWARDS

5 PAGES

○ AMERICAN BAR ASSOCIATION ANNUAL MEETING, SAN FRANCISCO, CALIFORNIA.

THIS SUMMARIZES PERTINENT ACTION OCCURRING SATURDAY AND SUNDAY,
AUGUST FOUR AND FIVE.

THE SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY, AND OB-
JECTIVES MET ALL DAY SATURDAY AND SUNDAY UNDER CHAIRMANSHIP OF [REDACTED]

[REDACTED] CHAIRMAN DESIGNATE OF THE NEW STANDING COMMITTEE ON EDUCA-
TION AGAINST COMMUNISM WHICH IS A CONSOLIDATION OF THE TWO SPECIAL
COMMITTEES ON COMMUNIST TACTICS, STRATEGY AND OBJECTIVES AND EDUCA-
TION IN THE CONTRAST BETWEEN COMMUNISM AND DEMOCRACY. REC-58 941-367-1760

✓ L. B. NICHOLS ATTENDED ALL SESSIONS.

13 AUG 10 1962

AS RESULT OF GRAUNDWORK LAID FRIDAY NIGHT, ABA-PRESIDENT JOHN
C. SATTERFIELD AND THE COMMITTEE MEMBERS WERE MOST ANXIOUS TO PASS
A COMMENDATORY RESOLUTION REGARDING THE DIRECTORS FORTHCOMING BOOK
QUOTE A STUDY OF COMMUNISM-END QUOTE. THE ENTIRE COMMITTEE EXPRESSED
DEEP APPRECIATION OF THE DIRECTOR-S LONG AND DEDICATED FIGHT AGAINST
COMMUNISM, HIS VALUABLE COOPERATION WITH THE COMMITTEE, AND THE

END PAGE ONE 362

MR. MOHR FOR THE DIRECTOR

SENT DIRECTOR
8-7-62

PAGE TWO

OBVIOUS GREAT EFFORT EXPENDED IN^W PREPARING URGENTLY NEEDED TEXTBOOK AND THEY WISHED TO SUPPORT THE BOOK ESPECIALLY BECAUSE ABA PRESIDENT SATTERFIELD AND MEMBERS OF THE COMMITTEE HAD REQUESTED THE DIRECTOR TO PREPARE SUCH TEXT.

ALTHOUGH ABA BY DASH LAWS PREVENT PASSING A RESOLUTION ENDORSING OR SPONSORING ANY BOOK OR COMMENDING ANY INDIVIDUAL WHO IS A MEMBER OF THE ABA, AS IS THE DIRECTOR, THE COMMITTEE PASSED THE FOLLOWING AMENDMENT TO ITS PROPOSED ANNUAL REPORT WHICH WILL BE PRESENTED TO THE HOUSE OF DELEGATES LATER IN THIS MEETING AND, IF APPROVED, WILL BE PUBLISHED AS PART OF THE OFFICIAL ABA ANNUAL REPORT.. QUOTE THE COMMITTEE REALIZED THE URGENT NEED FOR A COMPREHENSIVE AND AUTHORITATIVE TEXTBOOK TEACHING THE CONTRAST BETWEEN COMMUNISM AND DEMOCRACY TO PROVIDE THE CITIZENS OF OUR NATION, ESPECIALLY IN THE CLASSROOM OF HIGH SCHOOL AND COLLEGE LEVEL, WITH THE ESSENTIAL KNOWLEDGE AND TRUTH ABOUT THE EVILS OF COMMUNISM AND THE INSIDIOUS WAYS IT SEEKS TO DESTROY OUR AMERICAN SYSTEM OF CONSTITUTIONAL GOVERNMENT. MEMBERS OF THE COMMITTEE AND PRESIDENT JOHN SATTERFIELD OF THE AMERICAN BAR ASSOCIATION URGED MR. J. EDGAR HOOVER, DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION, TO UNDERTAKE THE TASK OF PREPARING SUCH A TEXTBOOK.

END PAGE TWO

PAGE THREE

MR. HOOVER RECOGNIZED AND ACKNOWLEDGED THE NEED FOR SUCH A COMPREHENSIVE TEXT AND RESPONDED TO THIS REQUEST, AND WE ARE PLEASED TO REPORT THAT ON OCTOBER ONE, NINETEEN SIXTYTWO, SINGLE QUOTE A STUDY OF COMMUNISM END SINGLE QUOTE BY J. EDGAR HOOVER WILL BE PUBLISHED. WE EXPRESS TO THE HONORABLE J. EDGAR HOOVER OUR THANKS AND APPRECIATION FOR THIS IMPORTANT WORK AND WE URGE THE MEMBERS OF THE ASSOCIATION TO MAKE USE OF AND ENCOURAGE WIDE DISTRIBUTION OF THE BOOK END QUOTE.

FINAL APPROVAL OF THIS REPORT WILL BE CLOSELY FOLLOWED AND REPORTED, AT WHICH TIME RECOMMENDATIONS FOR APPROPRIATE LETTERS OF APPRECIATION WILL BE SUBMITTED.

ALSO THE COMMITTEE ADVISED EDWARDS THAT AS SOON AS COPIES OF THIS BOOK BECOME AVAILABLE THEY WISH TO REVIEW IT AND THEREAFTER, AT THE NEXT OFFICIAL MEETING, PROBABLY THE BOARD OF GOVERNORS MEETING IN CHICAGO IN OCTOBER, NINETEEN SIXTYTWO, OR THE MID DASH YEAR MEETING IN NEW ORLEANS IN LATE JANUARY, NINETEEN SIXTYTHREE, THEY HOPE TO GIVE A STRONG BACKING TO THE BOOK TO THE EXTENT PERMITTED BY ABA REGULATIONS AND TO FURTHER URGE ITS WIDESPREAD USE.

END PAGE THREE

PAGE FOUR

[] A MEMBER OF THE VIRGINIA STATE BOARD OF EDUCATION, TOLD EDWARDS SUNDAY NIGHT THAT HE WILL PERSONALLY TAKE ALL POSSIBLE ACTION TO HAVE THE BOOK ADOPTED IN VIRGINIA SCHOOLS AS A TEXTBOOK INASMUCH AS [] HAS ALREADY HAD LEGISLATION PASSED PROVIDING FOR THE TEACHING OF THE SUBJECT IN VIRGINIA HIGHSCHOOLS. EDWARDS STRONGLY RECOMMENDS THAT [] BE SENT ONE OF THE FIRST AVAILABLE COPIES OF THE BOOK IN VIEW OF HIS EXPRESSED SUPPORT. [] IS HIGHLY REGARDED IN THE ABA AND IS CONSIDERED TO BE THE STRONGEST CANDIDATE FOR ABA PRESIDENT DASH ELECT AT NEXT MID DASH YEAR MEETING.

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b7C

✓ OTHER ACTIONS OF THE COMMITTEE ON EDUCATION AGAINST COMMUNISM CONCERNED THE APPROVING OF FORMER BUREAU CLERK []

IN THE COMMITTEE DISCUSSION OF [] CASE, L. B. NICHOLS REITERATED HIS DISAPPROVAL OF [] DESCRIPTION OF HIS PRIOR BUREAU EXPERIENCE AND NICHOLS STATED SUBSTANTIALLY WHAT HE HAD PREVIOUSLY WRITTEN TO THE DIRECTOR CONCERNING THIS MATTER. EDWARDS AND [] BOTH ADVISED THE COMMITTEE OF [] ACTUAL BUREAU POSITION, AND STATED THAT THE BUREAU DID NOT LOOK WITH FAVOR ON [] BLOWN DASH UP DESCRIPTION OF HIS PRIOR BUREAU EXPERIENCE. HOWEVER THE COMMITTEE WAS CLEARLY ADVISED THAT ANY DECISION REGARDING THE HIRING OF [] WAS TO BE A COMMITTEE MATTER WITHOUT BUREAU INFLUENCE IN EITHER DIRECTION.

b6
b7C

END PAGE FOUR

PAGE FIVE

CHAIRMAN [] SAID HE FULLY UNDERSTOOD THIS AND HAD MADE HIS EVALUATION OF [] ON THE BASIS OF HIS OVERALL QUALIFICATIONS. BY UNANIMOUS VOTE, [] WAS APPROVED FOR EMPLOYMENT IN AN EXECUTIVE SECRETARIAL POSITION FOR A PERIOD OF ONE YEAR. b6 b7C

MR. NICHOLS SUBSEQUENTLY TALKED PRIVATELY WITH [] TO EXPRESS HIS PERSONAL DISAPPROVAL OF [] EXAGGERATED DESCRIPTION OF HIS BUREAU EXPERIENCE. A DETAILED MEMORANDUM ON THIS MATTER WILL BE SUBMITTED LATER.

SUNDAY NIGHT, EDWARDS MET NEW JERSEY GOVERNOR HUGHES AT A RE^cCEPTION FOR SYLVESTER SMITH. THE MATTER OF THE NEW JERSEY POLICE TRAINING COMMISSION WAS BROUGHT UP AND HUGHES SAID THAT HE WAS PLEASED TO HAVE BEEN ABLE TO APPOINT SAC BACHMAN TO THE COMMISSION AND THAT ALTHOUGH THE EARLIEST CONFIRMATION BY THE LEGISLATURE WOULD BE APPROXIMATELY NOVEMBER, ~~THIRTEEN NOVEMBER~~, HUGHES IS CONFIDENT THE ~~APPROXIMATE~~ APPOINTMENT WILL STAND. HUGHES WAS MOST APPRECIATIVE OF THE BUREAU-S SUPERIOR LEADERSHIP IN PROVIDING EXCELLENT POLICE TRAINING FOR THE POLICE IN NEW JERSEY.

ALL PERTINENT MATTERS WILL BE REPORTED BY TELETYPE AS MEETING PROGRESSES.

END AND ACK PLS.

~~CORR. PG ONE LN FIFTEEN WD FOUR SHD BE GROUNDWORK~~

~~BS THI PLS REPT PAGE FIVE THIRC PARA LINE SIX IT IS OVERLINED~~
~~LINE SIX~~

~~IMATELY NOVEMBER, HUGHES IS CONFIDENT THE APPOINTMENT WILL STAND.~~

WA 6-46 PM OK FBI WA 0711 GJJ

TU DISCM

cc Mr Malone

CAUTIONARY NOTE

Only the **RESOLUTION(S)** presented herein, when approved by the House of Delegates, become official policy of the American Bar Association. These are listed under the heading **RECOMMENDATION(S)**. Comments and supporting data listed under the sub-heading **REPORT** are not approved by the House in its voting and represent only the views of the Section or Committee submitting them. Reports containing **NO** recommendations (resolutions) for specific action by the House are merely informative and likewise represent only the views of the Section or Committee.

AMERICAN BAR ASSOCIATION

SECTION OF CRIMINAL LAW

RECOMMENDATIONS

Adopted That the Board of Governors and House of Delegates approve amendments to the by-laws of the Section of Criminal Law, subject to favorable action thereon by the Section membership at the regular annual meeting of the Section in 1962, to accomplish the following purposes:

That Section 1 of Article II, Sections 1, 2, and 3 of Article III, and Sections 1 and 4 of Article V of the By-Laws of the Section of Criminal Law be amended to provide for annual dues of \$3.00, to provide for the position of Assistant Secretary, to provide that the Section Delegate to the House of Delegates and the Last Retiring Chairman are members of the Council ex-officio, to prescribe the duties of the Assistant Secretary, and to authorize appointment of a Corresponding Secretary, these Sections of the By-Laws as amended to read as follows:

ARTICLE II

Membership

Section 1. Each member of the Section shall pay to the American Bar Association annual dues of three dollars. Any member of the Association, upon

94-1-369-1761
~~ENCLOSURE~~

request to the Secretary of the Association and upon payment of dues for the current year, shall be enrolled as a member of this Section. Thereafter said dues shall be paid in advance each year beginning on July first next succeeding such enrollment. Any member of this Section whose annual dues shall be more than six months past due shall thereupon cease to be a member of this Section. Members so enrolled and whose dues are so paid shall constitute the membership of this Section.

ARTICLE III

Officers

Section 1. The officers of this Section shall be a Chairman, Vice-Chairman, Secretary, and Assistant Secretary.

Section 2. There shall be a Council, which shall consist of the Chairman, Vice-Chairman, Secretary, Assistant Secretary, Section Delegate to the House of Delegates, and Last Retiring Chairman, all of whom shall be members ex-officio, together with eight other members to be elected by the Section as hereinafter provided.

Section 3. The Chairman, Vice-Chairman, Secretary, and Assistant Secretary shall be nominated and elected, in the manner hereinafter provided, at each annual meeting of this Section, to hold office for a term beginning at the close of the annual meeting at which they shall have been elected, and ending at the close of the next succeeding annual meeting of the Section, and until their successors shall have been elected and qualified.

ARTICLE V

Duties of Officers

Section 1. Chairman. The Chairman shall preside at all meetings of the Section and of the Council. He shall formulate and present at each annual meeting of the American Bar Association a report of the work of the Section for the then past year. He shall perform such other duties and acts as usually pertain to his office. He shall, at his discretion, appoint a Corresponding Secretary to assist him with routine correspondence and the administrative business of the Section.

Section 4. Assistant Secretary. The Assistant Secretary shall assist the Secretary in the performance of his duties and shall perform the duties of the Secretary during the absence of the Secretary.

REPORT

The proposed amendments were adopted by the Council at its meeting on December 15, 1961, and will be presented to the Section membership at the 1962 Annual Meeting. The amendment relating to Article II increases the annual Section dues to \$3.00. Those amendments relating to Article III formalize the creation of the position of Assistant Secretary and give it Council status in addition to giving Council status to the Section Delegate to the House of Delegates and the Last Retiring Chairman. The proposed amendments to Article V merely define the duties of the Assistant Secretary and authorize the Chairman to appoint a Corresponding Secretary.

The approval of the Board of Governors and the House of these proposed amendments is requested, contingent on approval by the Section at the Annual Meeting, as required by the Section By-Laws.

Charles L. Decker
Chairman.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone

DATE: 8/17/62

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
85TH ANNUAL MEETING
SAN FRANCISCO, CALIFORNIA
AUGUST 6-10, 1962
CRIMINAL LAW SECTION

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

SYNOPSIS

All sessions of Criminal Law Section were covered and no derogatory comments were made by officers or panelists concerning the Director or the FBI. No problems arose. There were four general sessions each featuring a panel discussion. The first topic was "Achieving Teamwork Between Courts and Law Enforcement Agencies." The second session had the topic "Modern Trends in Sentencing." The third session considered the topic "Criminal Law--Export or Import?" The fourth session took up the topic "Who is Winning the Crime War?" Notable speakers on the panels were Justice William J. Brennan; Justice Byron R. White, Supreme Court; and Senator Thomas J. Dodd. There were numerous references made during these panel discussions to the FBI, but most of these were confined primarily to the use of statements from the speeches by the Director and from the Law Enforcement Bulletin and statistics from the Uniform Crime Reports. Prosecuting Attorney, J. Francis Coakley, Alameda County, Oakland, California, was exceptionally profuse in his praise of the Director and the FBI's work in combating crime. At the business meeting on Thursday, August 9, 1962, an election of officers was held and the new chairman of the Criminal Law Section elected was Judge Evelle J. Younger of Los Angeles, a former Bureau Agent. Elected to the position of vice-chairman was Kenneth J. Hodson of the Judge Advocate Office, Department of the Army. Council members elected were Judge Gerald S. Levin, San Francisco, California; and Rufus King, Washington, D. C. Elected to the position as Section Delegate to the House of Delegates was James V. Bennett, Bureau of Prisons. Elected to the position of secretary was Charles L. Bellows, Chicago, Illinois, and assistant secretary's position went to Professor [redacted] Northwestern University. The only report made by the Criminal Law Section to the House of Delegates concerned certain changes in the administration of the Criminal Law Section and the raising of membership dues from \$3 to \$5.

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b7c

Enclosure

1-Mr. DeLoach

1-Mr. Rosen

1-Mr. Evans

TDW:gmk

(5)

ACTION:

None ... informative 2 AUG 23 1962

ENCLOSURE

Jm

TAM

DETAILS

The first session of the Criminal Law Section meeting on August 6 was covered by Special SA Supervisor [redacted]. This session was devoted to a panel discussion, the topic of which was "Achieving Teamwork Between the Courts and Law Enforcement Agencies." General Charles A. Decker presided at this session and the moderator was the Honorable William J. Brennan, Jr. of the Supreme Court of the United States. The panelists were Judge Gerald S. Levin, Superior Court, San Francisco, California; Edward S. Silver, District Attorney, Brooklyn, New York; Chief of Police Thomas J. Cahill, San Francisco, California; and [redacted] Defense Attorney, San Francisco, California. The panel discussion followed exactly the trend that could be expected. Chief Cahill and Prosecutor Silver took the viewpoint that there should be greater cooperation in many areas between the courts and law enforcement agencies, pointing out as a typical example of this, that the courts should cooperate in laying down guide lines in such fields as arrest, searches and seizures and evidence so that the law enforcement officer would know what will be the proper course for him to follow so that the subsequent prosecution will not be jeopardized by a court ruling which the law enforcement officer is unfamiliar with. It was strongly pointed out by both Cahill and Silver that the law enforcement officer and the prosecuting attorney work equally hard to clear an individual accused of a crime as well as to prosecute him. Attorney [redacted] naturally took the viewpoint that there can be no cooperation and should be no cooperation between the courts and law enforcement as long as we maintain the adversary system of criminal justice. It should be noted that [redacted] talk was the type of a talk that could be expected from an attorney who has the reputation of making a fast buck in any way possible. Judge Levin took a middle of the course road and would not commit himself as to whether there should be additional cooperation between courts and law enforcement officers. There was no comment made concerning the Director or the FBI and no problem of any consequence was seen resulting from this panel discussion.

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The second session on August 7, 1962, was also covered by SA Supervisor [redacted]. James V. Bennett presided at this session and the moderator was the Honorable Byron R. White, Supreme Court. The topic was "Modern Trends in Sentencing." The panelists were Judge George H. Boldt, United States District Court, Takoma, Washington; Harold E. Parker, Staff and Faculty, United States Army Command and General Staff College; and Judge John S. Palmore, Court of Appeals, Frankfort, Kentucky. Senator Roman L. Hruska from Nebraska was also to appear on the panel, but was unable to do so and his prepared speech was given to the Section by Attorney George Dodd from Baltimore, Maryland. Judge Boldt, in delivering his talk, objected to legislation requiring minimum sentencing in narcotic cases and argued in favor of more probationary sentences and stated that such minimum sentences imposed by law did not allow the judge to properly utilize his

Memo Edwards to Malone
Re: American Bar Association (ABA)
85th Annual Meeting
San Francisco, California
August 6-10, 1962
Criminal Law Section

discretion to best carry out his job. Boldt pointed out that more probationary sentences are given and there are no corresponding rights in revocation of probation which is indicative that probationary sentences do have a very salutary affect. Boldt made the very asinine statement that he had "seen few criminal offenders who were beyond rehabilitation" and that he could not understand keeping a man in prison longer than was necessary to rehabilitate him. It should be noted that the panelists for this discussion were hand picked by James V. Bennett and apparently each one of them shares Bennett's liberal views on sentencing. Boldt predicted the eventual doing away of the set sentences which is based on the archaic principle of vengeance.

Judge Palmore of Kentucky spoke on what was apparently his pet subject, and that was "Jury Sentencing is Stupid." He, too, follows the principles advocated by Meninger which goes more toward rehabilitation and correction than toward protection of the public by segregation of the criminal and the hoodlum from society. He urged the lawyers to press for reforms which would allow the judges to meet out the punishments of the offenders that the judge believed was correct. Colonel Parker of the Army confined his remarks to the operations of the courts under the Uniform Court of Martial Justice. He pointed out that actual sentencing in a military court martial is reviewed three times by commanding officers, Review Boards and the Judge Advocate General and as a result, the sentencing of military prisoners is extremely fluid. The general impression of SA Supervisor [redacted] was that it was not fluid but ethereal. b6 b7C

The talk delivered by Attorney Dodd for Senator Hruska dealt with a new piece of legislation being introduced by Senator Hruska, Senator Bill 2879, which would allow an appeal of any sentence of five years or more to be made by a defendant to the appellate court on the ground of excessive sentence and would allow the appellate court to decide whether the sentence was excessive, and if so, to impose a proper sentence. It was pointed out that apparently that is the method utilized by all other English speaking peoples other than the United States. It was also pointed out that a similar sentence review exists in a number of the states.

The panel discussion ended with a short talk by James V. Bennett who stated that "The United States has the stiffest penalties in the world and I do not believe that legislation should be passed that would set a minimum term of imprisonment." He further stated that he did not believe that mandatory sentences acted as determinants.

Memo Edwards to Malone
Re: American Bar Association (ABA)

The third session of the Criminal Law Section on August 7 was covered by [redacted] This session consisted of three speakers on the subject entitled: "Criminal Law - Export or Import" which dealt with the adoption and/or exclusion of foreign administrative procedural law.

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[redacted] Vice Chairman, Section of International and Comparative Law, Washington, D. C., who is also the chairman of the Commission on International Rules of Judicial Procedure, which commission will make recommendations to the President for future consideration by Congress, described several considerations currently being studied by his commission in comparative criminal law aspects of procedure that touches on two or more sovereigns such as:

- Judicial Notice of Foreign Law
- Proof of Foreign Public Documents
- Service by Order of a District Court
- Service of a Subpoena by an American Consulate
- Officer on a U. S. Citizen Abroad
- Repeal of State Laws regarding Self-incrimination for Foreign Citizens Testifying in U. S. Courts.
- Proof of Foreign Business Records.

[redacted] emphasized that these matters were under study by his commission and that no final evaluation had been completed at this time.

[redacted] Foreign Area Specialist (China), Translator of Chinese Criminal Codes, spoke on the development of Asia law and the export and import of laws from Europe.

[redacted] Q. C., Sydney, New South Wales, Australia spoke briefly on the criminal procedural laws of his state and country.

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There were no derogatory or complimentary references made to the Bureau or the Director.

The fourth session on August 8 was also covered by [redacted] [redacted] "Who Is Winning The Crime War?" was the subject of a panel discussion moderated by U. S. Senator Thomas J. Dodd of Conn., in a General Session of the Session of Criminal Law at 10 A. M.

The panelists were J. Francis Coakley of Oakland, California, Prosecuting Attorney, Alameda County; [redacted] New York, N. Y.; and [redacted] of Chicago, Ill., Past President, NADL in Criminal Cases.

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Re: American Bar Association (ABA)

Senator Dodd in his address as Moderator presented the subject "Who Is Winning The Crime War?" He stated that from newspaper accounts it appears that the criminal is winning the "Crime War," but from a study of statistics it is apparent that society is winning. He stated there is some basis of optimism from a study of history of the increase of the population, percentage of crime in respect to population and the improvement of social problems.

He described the juvenile delinquency rise as a discouraging picture of the U. S. crime rate. He attributed this rise to factors of:

disorganized homes,
poverty,
discrimination,
vice ridden neighborhoods,
school drop-outs,
and the complexity of society and its problems.

Senator Dodd described the "White Collar Group" children as the shocking picture of the increase in juvenile delinquency. Lack of fundamental values in the home of this group was the attributing factor. He described Federal programs to study and meet the problem as:

"YOUTH CONSERVATION CORPS"
"PEACE CORPS AT HOME"

The Senator stated that the U. S. needs national recognition of this problem. He severely criticized the TV and Movie industries for the "trash and character destroying material" they are responsible for. He stated that the magazine racks are full of sex ridden, slanted and cheap filth.

Senator Dodd also mentioned that he was introducing a firearms bill in Congress that would place restrictions on the purchasing of firearms by minors.

Memo Edwards to Malone
Re: American Bar Association (ABA)

He stated that a child can purchase a firearm as easy as a piece of candy. He mentioned that the National Rifle Association is endorsing this bill.

He stated that "Lou Nichols of the FBI, who was present, could dramatically tell the need for such legislation."

The Senator further stated that the country needs a better method of selection of qualified judges to handle the juvenile problem. He mentioned the need for proper training of the judiciary for these particular problems.

Senator Dodd concluded: "I feel that we are winning the Crime War."

Mr. Coakley was the first panelist to present his address. His address was substantially identical to the prepared speech he provided Inspector Edwards. During his speech it was noted that he constantly referred to his paper and read quotations from Director J. Edgar Hoover verbatim. Reference to my notes as a comparison to his address release reflects he followed this release without deviation. Mr. Coakley's address was received enthusiastically with strong ovation.

[redacted] address dealt with Juvenile Delinquency problems as concerned in the "Crime War." She presented statistics described as obtained from various studies conducted in the states of Maryland, Tennessee and New York. Statistics were also presented as being obtained from FBI Crime Records. She commented that such statistics as accumulated and reported by the FBI did not present a complete picture of the problem concerning juvenile delinquency inasmuch as these statistics dealt primarily with arrests and did not dwell on matters of disposition and did not give a breakdown concerning the complaint or violation. She did not further elaborate on this matter, but went on to describe the many ways that complaints do become matters of record other than arrests only. No further particulars of interest to the Bureau were discussed by her. b6 b7C

The final panelist was [redacted] who described himself as a defense attorney for the past thirty years. [redacted] delivered a rather informal type talk and without exception preceeded a paragraph with words to the effect that he was in disagreement with Mr. Coakley that the criminal was winning the Crime War. Mr. Coakley stated repeatedly that the criminal was losing the "Crime War." [redacted] disagreed with Mr. Coakley that the Appellate Court was reviewing appeals with microscopic eye - ie: looking for errors for reversal or to remand. [redacted] also stated that he did not believe there was such a matter as organized crime in the U. S. In this regard he stated that if there was such then "...why are not these men prosecuted more often?" He criticized Mr. Coakley's criticism of the laws of discovery stating that he [redacted] "could not see how anyone can get a fair trial without the facility of discovery."

Memo Edwards to Malone
Re: American Bar Association (ABA)

[] also mentioned that "Public defenders are generally not as good as a lawyer hired by a defendant." He stated that in Chicago the local bar association recently decided to provide defendants, who so request in lieu of accepting the services of the Public Defender, a defense lawyer to serve without fee.

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b7c

He further commented that defense lawyers in the State of Illinois continue to wonder and be apprehensive that their interviews with clients in custody are "bugged in public jails."

He also stated that the Illinois Bar recently recommended to the legislature that matters of Discovery be broadened to include the right of defendants to "get all statements by prosecution witnesses and in return the defense will give statements to the prosecution in certain cases."

[] further described a situation arising in a criminal case in the State of Illinois that he handled in which his dominant witness was interviewed so often by the prosecution prior to trial that this witness would not appear voluntarily in court for fear of committing perjury to possible differences due to confusion caused by the many interviews.

In further disagreement with Mr. Coakley, [] stated that the defendant would experience serious difficulties in securing competent expert testimony in the fields of fingerprint and ballistic matters. He also described how the defendant is placed in disfavor by newspaper, radio and TV accounts that tend to show gossip and opinions unrelated to court testimony. He concluded his talk by stating that rehabilitation in the various places of confinement and preventative law were the only answers to winning the Crime War. He did not further describe or offer suggestions in this regard.

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b7c

[] did not criticize the Bureau or Mr. Hoover in any manner during his address.

There was a brief question and answer period; however, there was nothing mentioned that was of pertinence to the Bureau.

The business meeting of the Criminal Law Section was covered by SA Supervisor [] on August 9. The only business of any importance brought up was the fact that the Criminal Law Section was obtaining money from ABA and was raising their membership dues from \$3 to \$5 a year. At the election of new officers for the Section, Judge Evelle J. Younger, Los Angeles, former Bureau Agent, was elected as chairman of the Criminal Law Section. Elected as

Memo Edwards to Malone

Re: American Bar Association (ABA)

vice-chairman was [redacted] Judge Advocate Office, U. S. Army. Elected to the council were [redacted] San Francisco, and Rufus King, Washington, D. C. James V. Bennett, Bureau of Prisons, was elected as Section Delegate. [redacted] Chicago, Illinois, was elected as secretary and Professor [redacted] Northwestern University, as assistant secretary. The only other point of interest brought up at the business session was that General Decker, chairman of the Criminal Law Section, mentioned that the officers of the Criminal Law Section had been unable to agree concerning whether the Criminal Law Section should induce the Attorney General's wire tapping bill. There was a complete divergence of viewpoint among the various members of the council and officers, and as a result, the Criminal Law Section was taking no steps to either support or oppose the Attorney General's wire tapping bill.

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UNITED STATES

Memorandum

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 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

TO : Mr. Malone

DATE: 8/17/62

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
ANNUAL MEETING
SAN FRANCISCO, CALIFORNIA
AUGUST 6 - 10, 1962
PRESS CLIPPINGS

b6
 b7C

During the above-captioned meeting, I had the San Francisco and Oakland newspapers reviewed and all pertinent articles concerning the ABA clipped and bound in an Acco Fastener. They are attached.

The San Francisco Office submitted clippings daily to the Bureau in accordance with regulations concerning reviewing and clipping of local newspapers. The clippings attached have been reviewed, and where pertinent, information contained therein have been included in separate memoranda dealing with the individual activities of various sections and committees of the ABA.

ACTION:

None...informative.

Enclosure

1 - Mr. DeLoach
 1 - Mr. Rosen
 1 - Mr. Sullivan

TDW:spd
 (5)

REC-15

22 AUG 24 1962

ENCLOSURE
 acc Fastener
 376
 AUG 27 1962

ENCLOSURE
 ENCL. BEHIND FILE

UNITED STATES GOV

Memorandum

TO : Mr. DeLoach

DATE: 8-14-62

b6
b7C

FROM : M. A. Jones

SUBJECT: MR. WALTER E. CRAIG
PRESIDENT-ELECT
AMERICAN BAR ASSOCIATION (ABA)

Tolson _____
 Belmont _____
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 Gandy _____

Pursuant to your request, the following is a resume of information in our files concerning captioned individual.

Mr. Craig was born in Oakland, California, in 1909. He obtained his law degree at Stanford University in 1934 and was admitted to the Arizona Bar in 1936. He is a member of a prominent law firm in Phoenix, Arizona, has been very prominent in the activities of the ABA, and has held various offices in that organization since 1943. Mr. Craig is on the Special Correspondents' List, has always been favorably disposed toward the Bureau, and has constantly praised the Director's work.

Mr. Craig is personally known to Inspector H. Lynn Edwards and Special Agent [redacted] as a result of their liaison work with the ABA.

On 5-24-62, Mr. Craig accompanied ABA President John C. Satterfield who conferred with the Director in his office for the purpose of requesting Mr. Hoover to reconsider an earlier invitation he had received to address the forthcoming ABA meeting in San Francisco. It was necessary for Mr. Hoover to again decline this invitation.

Mr. Craig has been cooperative with the Phoenix Office. The Director sent him congratulatory-type letters on 2-26-62 and 8-14-62 in connection with his nomination and subsequent election to the post of President-Elect.

RECOMMENDATION:

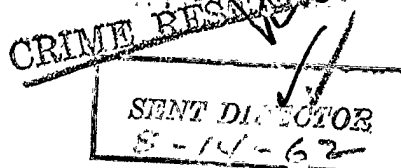
None. For information.

*Craig chgd on
 SCH to "Hon."
 + added to Auto Book List
 8-20-62
 [initials]*

1 - Mr. DeLoach
 CJH:kmd

(5)

50 SEP 5 1962



*change to
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 on [unclear] list.
 Send auto of
 copy new
 books
 8/16 L*

UNITED STATES GOV

*Memorandum*TO : MR. MALONE *JJM*

DATE: August 17, 1962

FROM : MR. J. J. CASPER *JJC*SUBJECT: CHAIRMAN, HOUSE OF DELEGATES
AMERICAN BAR ASSOCIATION

Tolson	_____
Belmont	_____
Mohr	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

I recently noted that at the Annual Meeting of the American Bar Association at San Francisco, Attorney was elected to the position of Chairman of the House of Delegates of the American Bar Association.

For record purposes I wish to advise that has been a personal friend and contact of mine for the past 4 1/2 years. holds the Bureau in the highest esteem, has spoken to me on numerous occasions in a very highly commendatory manner concerning the Director, and I would consider him the type of man who would be willing to assist the Bureau.

I am socially acquainted with and his entire family. His daughter graduated from high school with my daughter and is one of my daughter's closest friends.

is a highly respected Senior Attorney in the State of Arkansas and his law firm is considered among the best in the state.

RECOMMENDATION:

For information.

1 - Mr. DeLoach

JJC:wmj
(5)

REC-10

EX 100

18 AUG 23 1962

94-1-369 1764

*Wright already
added to
8-23-62
mem*

376
57 AUG 29 1962

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

AUG 8 1962

TELETYPE

Mr. Tolson _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Callahan _____
Mr. Conrad _____
Mr. DeLoach _____
Mr. Evans _____
Mr. Malone _____
Mr. Rosen _____
Mr. Sullivan _____
Mr. Tavel _____
Mr. Trotter _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

URGENT 8-8-62 6-56 PM PDST EMK

TO DIRECTOR, FBI ATTENTION - MESSERS. MOHR, MALONE, AND DE LOACH. b6 b7C

FROM INSPECTOR H.L. EDWARDS 4 P

AMERICAN BAR ASSOCIATION ANNUAL MEETING, SAN FRANCISCO.

THE HOUSE OF DELEGATES TODAY OFFICIALLY ACCEPTED A SUPPLEMENTAL
REPORT OF THE SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY, AND
OBJECTIVES, WHICH STATED AS FOLLOWS -

QUOTE WE THE UNDERSIGNED, BEING MEMBERS OF THE COMMITTEE MEETING IN
SAN FRANCISCO, SUBMIT THIS SUPPLEMENTARY REPORT.

QUOTE THE COMMITTEE REALIZED THE URGENT NEED FOR A COMPREHENSIVE
AND AUTHORITATIVE TEXTBOOK TO PROVIDE THE CITIZENS OF ALL NATIONS
ESPECIALLY IN THE CLASSROOM OF HIGH SCHOOL AND COLLEGE LEVEL, WITH THE
EXACT KNOWLEDGE AND TRUTH ABOUT THE AFFAIRS OF COMMUNISM AND THE IN-
SIDIOUS WAYS IT SEEKS TO DESTROY OUR AMERICAN SYSTEM OF CONSTITUTIONAL
GOVERNMENT. REC-31 94-1-367-1765

EX-116

5 AUG 8 1962

QUOTE MEMBERS OF THE COMMITTEE AND PRESIDENT JOHN SATTERFIELD OF
THE AMERICAN BAR ASSOCIATION URGED MR. J. EDGAR HOOVER, DIRECTOR OF THE
FEDERAL BUREAU OF INVESTIGATION, TO UNDERTAKE THE TASK OF PREPARING SUCH
A TEXTBOOK. ltr to Wright, Robinson, Sch
Craig, Smith 8-14-62

END PAGE ONE

Mailing List

8-13-62
Change Noted

MR. MOHR FOR THE DIRECTOR

SEND DIRECTOR

JCF/62

JET/mag

JH 10/8 8-14-62

PAGE TWO

QUOTE MR. HOOVER RECOGNIZED AND ACKNOWLEDGED THE NEED FOR SUCH A COMPREHENSIVE TEXT AND RESPONDED TO THIS REQUEST, AND WE ARE PLEASED TO REPORT THAT ON OCTOBER ONE, ONE NINE SIX TWO, A STUDY OF COMMUNISM BY J. EDGAR HOOVER WILL BE PUBLISHED.

QUOTE WE EXPRESS TO THE HONORABLE J. EDGAR HOOVER OUR THANKS AND APPRECIATION FOR THIS IMPORTANT WORK, AND WE URGE THE MEMBERS OF THE ASSOCIATION TO MAKE USE OF, AND ENCOURAGE WIDE DISTRIBUTION OF, THE BOOK. SIGNED [REDACTED] RAYMOND W. MILLER, ACTING CHAIRMAN, WILLIAM C. MOTT, LOUIS B. NICHOLS, MARIO T. NOTO, [REDACTED] [REDACTED] AND JOHN C. SATTERFIELD, EX- OFFICIO. END QUOTE. b6 b7C b7D

THIS SUPPLEMENT WAS SUBMITTED BY THE COMMITTEE MEMBERS INDICATED ABOVE OVER THE UNYIELDING PROTESTATIONS AND OPPOSITION OF COMMITTEE CHAIRMAN [REDACTED] WHO UNDOUBTEDLY WAS BITTER BECAUSE HE WAS NOT REAPPOINTED CHAIRMAN OF THE NEW STANDING COMMITTEE ON EDUCATION AGAINST COMMUNISM, WHICH CONSOLIDATES THE COMMITTEE [REDACTED] HEADED PLUS THE SPECIAL COMMITTEE ON EDUCATION IN THE CONTRAST BETWEEN LIBERTY UNDER LAW AND COMMUNISM, AND WHICH NEW COMMITTEE WILL BE HEADED BY [REDACTED] [REDACTED] OF CHICAGO.

END PAGE TWO

PAGE THREE

ALTHOUGH INCOMING ABA PRESIDENT SYLVESTER C. SMITH PREVIOUSLY HAD ASKED [] TO CONTINUE AS A COMMITTEE MEMBER, [] BOYCOTTED THE SAN FRANCISCO MEETING AND HIS REFUSAL TO CONCUR WITH THE UNANIMOUS DESIRES OF THOSE WHO DID MEET THUS PLACED HIM IN THE POSITION OF BEING ABLE TO VETO THE ENTIRE ACTION. HOWEVER [] WERE ABLE TO OBTAIN CLEARANCE FOR AN ALTERNATE BUT UNUSUAL PROCEDURE WHEREBY THE SUPPLEMENTAL REPORT OMITTED [] NAME. THIS WAS DONE AFTER PERSONAL, PRIVATE CONSULTATION WITH NUMEROUS KEY ABA OFFICIALS AND CERTAIN HIGHLY FRIENDLY STAFF MEMBERS WHO WERE THOROUGHLY BEHIND THE IDEA OF COMMENDING THE DIRECTOR. THE SUPPLEMENTAL REPORT WAS PRESENTED TO THE HOUSE OF DELEGATES BY ACTING CHAIRMAN MILLER AND WAS ACCEPTED UNANIMOUSLY WITHOUT A QUESTION.

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b7C
b7D

SAC PRICE WAS FULLY BRIEFED AND FURNISHED GUIDANCE ON THE ACTION TAKEN IN SAN FRANCISCO REGARDING THE BOOK SO THAT HE COULD APPROPRIATELY HANDLE PRESS INQUIRIES.

IT SHOULD BE NOTED THAT THE ACCEPTANCE OF THE REPORT SUCH AS THIS CONTAINING NEITHER RECOMMENDATIONS NOR RESOLUTIONS REQUIRING AFFIRMATIVE ACTION BY THE HOUSE OF DELEGATES DOES NOT CONSTITUTE OFFICIAL ABA APPROVAL OF THE CONTENTS OF THE REPORT EXCEPT BY THE COMMITTEE, BUT IT DOES BECOME A PART OF THE OFFICIAL ABA ANNUAL PRINTED REPORT.

*This not logical step
& not being done - Discovered while
IPW 8/13
Mr. Miller.*

I RECOMMEND LETTERS OF APPRECIATION GO TO ALL OF THE INDIVIDUALS WHO SIGNED THE SUPPLEMENTAL REPORT. INCOMING CHAIRMAN [REDACTED] ALTHOUGH NOT A MEMBER OF THE CURRENT COMMITTEE, SHOULD BE CONGRATULATED ON HIS CHAIRMANSHIP OF THE NEW COMMITTEE MENTIONED HEREIN, AND THE LETTER SHOULD INCLUDE APPRECIATION FOR [REDACTED] EXPRESSED SUPPORT OF THE ACTION OF THE SUPPLEMENTAL REPORT AND [REDACTED] PLANNED IMPLEMENTATION OF IT. b6 b7C

INCOMING CHAIRMAN [REDACTED] ADVISED THAT AFTER HE OFFICIALLY ASSUMES CHAIRMANSHIP FOLLOWING THE CONCLUSION OF THIS AUGUST MEETING AND AS SOON AS THE TEXTBOOK ACTUALLY IS PUBLISHED, HE INTENDS TO FORMULATE A SECOND AND STRONGER ENDORSEMENT OF THE BOOK AT THE OCTOBER, ONE NINE SIX TWO MEETING OF HIS COMMITTEE IN CHICAGO WHICH CAN BE PRESENTED AT THE SAME TIME TO THE ABA BOARD OF GOVERNORS FOR APPROVAL AND THUS CLEARED FOR PRESENTATION TO THE HOUSE OF DELEGATES AT THE MID YEAR MEETING IN FEBRUARY, ONE NINE SIX THREE. [REDACTED] CONFIDENTIALLY ADVISED THAT SUBSEQUENT ENDORSEMENT IMMEDIATELY AFTER THE PUBLICATION AND INITIAL

END PAGE THREE

PAGE FOUR

DISTRIBUTION OF THE BOOK WOULD ACCOMPLISH A GREAT DEAL MORE TO PROMOTE THE WIDE USE OF THE BOOK THAN NOW WHEN THE BOOK IS NOT YET IN PRINT AND, THEREFORE, THE COMMITTEE CANNOT STAMP A FIRST HAND APPROVAL ON THE CONTENTS OF THE TEXT.

IT IS ALSO RECOMMENDED LETTERS OF CONGRATULATION BE PROMPTLY SENT TO THE FOLLOWING AT THEIR REGULAR HOME ADDRESSES IN VIEW OF THEIR ELECTION TO THE ABA POSITIONS DURING THE CURRENT ANNUAL MEETING AS DESCRIBED., NAMELY - SYLVESTER C. SMITH, JR., WHO WAS ELECTED ABA PRESIDENT., WALTER E. CRAIG OF PHOENIX, ARIZONA, WHO WAS ELECTED PRESIDENT-ELECT., AND [REDACTED] LITTLE ROCK, ARKANSAS, WHO WAS ELECTED CHAIRMAN OF THE HOUSE OF DELEGATES. ALL THREE ARE EXTREMELY FAVORABLE TO THE BUREAU AND DIRECTOR, AND BOTH SMITH AND CRAIG ARE PARTICULARLY ^{b6}GOOD CONTACTS OF [REDACTED] ^{b7C}

ADDITIONAL INFORMATION OF PERTINENCE CONCERNING THE ABA MEETING WILL BE REPORTED IN SUBSEQUENT TELETYPES.

END AND ACK PLS

HOLD PSL

10-15 PM OK FBI WA WS

cc: Mr. Malone, Mr. DeLoach

REC- 31

August 14, 1962

1765

PERSONAL

[Redacted]
Attorney
Tower Building
Little Rock, Arkansas

Dear [Redacted]

It was a pleasure to learn of your recent election to the post of Chairman of the House of Delegates of the American Bar Association. This is indeed a signal honor and is certainly reflective of the high regard in which you are held in the legal profession.

You have my best wishes and those of my associates for a thoroughly successful term of office.

Sincerely yours,

b6
b7C

Aug 14 1 55 PM '62
FBI READING ROOM

NOTE: Little Rock Phone Directory lists [Redacted] Attorney, Tower Building, Little Rock, Arkansas. See Morrell to DeLoach Memo, this date, captioned "American Bar Association Annual Meeting, San Francisco."

Aug 14 1 55 PM '62
FBI READING ROOM

olson _____
elmont _____
ohr _____
allahan _____
onrad _____
eLoach _____
vans _____
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le. Room _____
lmes _____
ndy _____

5 JET:may
AUG 31 1962

MAIL ROOM ☐ TELETYPE UNIT ☐

ANNUAL REPORT OF SPECIAL COMMITTEE ON COMMUNIST
TACTICS, STRATEGY AND OBJECTIVES, 1961-1962

At the Midyear 1962 meeting of the Association this Committee joined the Special Committee on Education in the Contrast Between Liberty Under Law and Communism in a recommendation that the two Committees be consolidated and be made a standing committee of the Association. This recommendation as modified was approved by the Board of Governors and the House of Delegates and referred to the Committee on Rules and Calendar for preparation of appropriate By-Law amendment together with the selection of a new name, a matter which is to be passed on at the present session.

If the amendment is approved, this will be the last report of the Special Committee which has served the Association ~~well~~ for eleven successive years. The history of its activities over the period was compiled by the Committee early this year. It tells a story of effective and capable activity and devoted service by its members.

The Special Committee on Education in the Contrast Between Liberty Under Law and Communism during the two years of its existence has effectively promoted interest in the development of education in this vital field. Its report "Instruction on Communism and Its Contrast with Liberty Under Law" has revealed an insistant demand by

94-1-369-1766
ENCLOSURE

educators for direction and support. It is felt that prime emphasis should be given to this subject and that consolidation of Committees will result in an effective coordinated effort. The threat of Communism, we must assume, will be upon us for the foreseeable future. The problems it poses are of utmost importance to the Bar and to the Nation. It is believed that the Committee can implement a long-term program more effectively as a standing rather than special committee.

The program of the Committee for the last year has been a departure from the past in initiating an even more active and highly implemented means of serving the Bar and focusing action and an understanding of the continuing threat of communism. President Satterfield is to be thanked and commended for his inspiration and support. The last year has paved the way for an affirmative and articulate program of a new standing committee for some years to come.

The Committee initiated a continuing program of seminars on communism planned and controlled by the Committee and under local sponsorship of state and local bar associations. Exemplifying its purpose of stimulating and informing the Bar on the subject so that it will take a place of leadership, this program has been entitled "Project Bar Leadership." The purposes and plans of the subject have been outlined in a brochure prepared by the Committee.

A first step was the selection of a master panel of

experts, highly screened and qualified in the field through activity in government, universities or specialized institutions. Some of the leading men in the field consented to serve. Especially to be noted is the willing cooperation and support of all agencies of government in supplying speakers and rendering valuable assistance and advice. Among these especial thanks are expressed to the Federal Bureau of Investigation, the Office of the Attorney General, the Department of Defense and the Department of State.

The program of the Committee has attracted national attention. It was widely publicized not only in cities where seminars were held but received wide and favorable coverage in the national press, in various magazines and publications, by syndicated columnists, and on radio and television. Numerous inquiries have been received from interested individuals and organizations. The American Legion by resolution commended the program and the National Association of Attorneys General, the National Association of Manufacturers and others have offered cooperation.

The seminar program was implemented during the year to the extent of time and finances. At the request of local and state bar associations seminars were held at Cincinnati, St. Louis, Miami, Corpus Christi and Baton Rouge. Officers of the American Bar Association participating included Presidents John C. Satterfield and Sylvester C. Smith, Jr., President-Elect Walter E. Craig and Treasurer Glenn M. Coulter.

Panelists and speakers were Mr. Frank Barnett, Program Director, Institute for American Strategy; Mr. William B. Barton, Manager and General Counsel, United States Chamber of Commerce; ~~Admiral Arthur W. Radford, USN (Retired)~~ Hon. John B. Connally, formerly Secretary of Navy; Hon. Cartha D. De Loach, Assistant Director, Federal Bureau of Investigation; Dr. William Y. Elliott, Harvard University and Department of State; Hon. W. Alexis Johnson, Deputy Under Secretary for Political Affairs, Department of State; Col. William R. Kintner, University of Pennsylvania and Deputy Director Foreign Policy Research Institute; Dr. Leon S. Lipson, Yale Law School; Dr. Charles W. Lowry, President, Foundation for Religious Action in the Social and Civil Order; Rear Admiral William C. Mott, Judge Advocate General of the Navy; ^{Admiral Arthur W. Radford, USN (Retired)} Hon. Carlisle P. Runge, Assistant Secretary of Defense; Dr. Fern Stuckenbroeker, Federal Bureau of Investigation; Dr. Witold S. Sworakowski, Assistant Director, Hoover Institution on War and Peace, and Stanford University; Dr. Richard L. Walker, University of North Carolina; Hon. Francis E. Walters, Chairman, House Committee on Un-American Activities and Mr. Charles T. Vetter, Jr., United States Information Agency.

Of major value were the kits of books and materials on the subject of communism supplied at no cost to those attending. Especial thanks is due the Federal Bureau of Investigation and the chairmen and members of the House Committee on Un-American Activities and Senate Sub-Committee

on Internal Security for the valuable mass of materials supplied for this purpose. All meetings were taped and sound film made of some. These will be used at appropriate meetings and for broadcast and telecast. It is planned to edit and publish the texts.

A brochure has been prepared by the Committee outlining follow up programs which include the establishment of related committees in local and state bar associations, formation and preparation of materials for local study groups, studies and conferences in specialized aspects, programs on public media.

In addition and with predominant emphasis it is planned to forward the establishment of courses on the subject of communism in the curriculum of schools and colleges. Conferences and institutes will be planned to promote this cause, and especial attention will be given to means of furthering the orientation and training of teachers and furthering the promotion of text and classroom materials. These purposes will be furthered by close cooperation with educators, educational institutions and organizations responsible for implementing the task.

The Committee has carried forward its continuing study of legislation in the field of communism, particularly in areas where legislation has already been recommended and approved. There have been no new developments in this field.

*other than recent enactment by Congress of
Committee members Marie Noto and Louis Nichols are to be
the recommended amendment of the
Smith Act redefining the word "agitating".*

commended
~~appreciated~~ for their particular efforts on this subject.

In addition to a meeting at St. Louis annual meeting in August 1961, the Committee has held two-day sessions at Washington, Cincinnati, Chicago, and presently at San Francisco. Highlights of the Washington meeting was a full day orientation by the Federal Bureau of Investigation and a meeting with Honorable J. Edgar Hoover. A review of films of the Department of Defense was also presented by Mr. John C. Broger, Director of the Directorate for Armed Forces, Information and Education.

By strict economy the Committee operation was kept within its budget. "Project Bar Leadership" and related activities have been financed entirely from grants. Of the three foundations authorized for approach two made substantial grants. Early in the year the Richardson Foundation of New York granted \$25,000.00 as a "seed grant." Later in the year the Lilly Foundation granted \$35,000.00 emphasizing its interest in institutes for the training of leadership among the bar and educators. Of these grants a substantial amount remains unexpended and available for use by the projected standing committee.

The Committee has prepared an extensive brochure particularly designed for submission to foundations projecting its plans for a three year period and combining the activities of the Committee on Education and its own and calling for a budget of substantial amount for the three year period. It

is hoped that the Committee will be authorized to contact further sources and obtain further grants in which case its activities can be greatly expanded. Since July 1 the Committee has been able to obtain the services of a capable assistant to the chairman.

Dr. Raymond Miller of the Committee was granted a 1961 Freedom Foundation Honor Certificate Award for an address given as a member of the Committee at the University of Minnesota, August 1961, entitled "Communism - Capitalism - Cooperation." The address was printed in the Congressional Record.

Present finances enable the Committee for next year to go forward on many fronts:

- 1.) Seminar programs, on a selected and nationally distributed basis.
- 2.) Institutes for bar leaders and educators, preceded by national conference on problems and methods of teaching about communism in schools and colleges.
- 3.) Providing of speakers for bar groups and other meetings.
- 4.) Assistance to educational institutions, e. g., assistance in planning conferences and training programs for teachers, legislation, advice and counsel as to texts and materials.
- 5.) Issuance and distribution of tapes, compiled addresses, etc.

6.) Formation of study groups with recommended materials, and other follow up activities of bar associations.

7.) Round table conferences of experts on selected aspects especially pertinent to the bar, such as contrast of American justice under law to the Soviet legal system; the legal and social basis of private ownership of property and its survival over Soviet threat of destruction.

8.) Issuance of a news letter and book reviews of current literature.

9.) Promotion of public media for purposes of Committee with planned programs.

10.) Cooperation with other national organizations in promoting common purpose.

Such are the guide lines which the Committee may follow. The extent of its accomplishment and its benefit depend on the support and active cooperation of a Bar alert to its obligation to the profession of law, and to the urgent need for its leadership of the nation in the threatening contest with communism.



American Bar Center

AMERICAN BAR ASSOCIATION

SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY AND OBJECTIVES
1961-1962

IRWIN S. RHODES, *Chairman*
Union Central Bldg., Cincinnati 2, Ohio
RICHARD C. CADWALLADER
La. Nat'l Bank Bldg., Baton Rouge 1, La.
JAMES S. CREMINS
3600 W. Broad St., Richmond, Va.
JOHN G. MCKAY, JR.
Dade Federal Bldg., Miami 32, Fla.
RAYMOND W. MILLER
duPont Circle Bldg., Washington 6, D. C.
WILLIAM C. MOTT
Dept. of the Navy, Washington 25, D. C.

**727 Union Central Building
Cincinnati, Ohio
June 7, 1962**

LOUIS B. NICHOLS
350 Fifth Ave., New York 1, N. Y.
MARIO T. NOTO
Immigration & Naturalization Service
Dept. of Justice, Washington 25, D. C.
C. BREWSTER RHODES
1421 Chestnut St., Philadelphia 2, Pa.
DAN H. SHELL
First Nat'l Bank Bldg., Jackson 5, Miss.
HENRY J. TERPASKE
Orange City, Iowa
LOUIS C. WYMAN
1662 Elm St., Manchester, N. H.

TO ALL MEMBERS OF THE COMMITTEE

The next meeting of the Committee will be held at San Francisco in the Phoenix Room, Hotel Mark Hopkins, Saturday August 4 and Sunday August 5, 1962. Morning sessions will commence at ten o'clock and afternoon sessions at two o'clock. It is probable that one of the sessions will be held jointly with the Special Committee on Education in the Contrast Between Liberty Under Law and Communism. An agenda will be prepared in advance and in your hands.

All members should make their own arrangements for travel and hotel accommodations. Under the rules of the ABA expenses cannot be reimbursed.

Enclosed is a copy of a proposed annual report of the Committee. Please examine and advise me of any proposed additions or corrections. If I do not hear from you to the contrary I will assume that you concur in the report and your name will be appended.



Encl.

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ENCLOSURE

COPY

AMERICAN BAR ASSOCIATION

American Bar Center

SPECIAL COMMITTEE ON COMMUNIST TACTICS, STRATEGY AND OBJECTIVES
1961-1962

LEWIS S. RHODES, *Chairman*
Union Central Bldg., Cincinnati 2, Ohio
RICHARD C. CADWALLADER
La. Nat'l Bank Bldg., Baton Rouge 1, La.
JAMES S. CRENSHAW
3600 W. Broad St., Richmond, Va.
JOHN G. MCKAY, JR.
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DAN H. SHELL
First Nat'l Bank Bldg., Jackson 3, Miss.
HENRY J. TEPPASKE
Orange City, Iowa
LOUIS C. WYMAN
1662 Elm St., Manchester, N. H.

June 21, 1962

Hon. [redacted]
American Bar Association
Union Central Building
Cincinnati 2, Ohio

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Dear [redacted]

I read the annual report of the Special Committee on Communist Tactics, Strategy and Objectives and I think it is very well presented.

Quite frankly I would like to have seen an introduction that had some news-worthy content because otherwise I am fearful that with the large number of reports coming out, this might be lost in the shuffle.

With best wishes,

Sincerely,

Louis B. Nichols
Louis B. Nichols

C copy to All Members of the Committee

94-1-349-1766

ENCLOSURE

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone *gm*

DATE: 7/10/62

FROM : H. L. Edwards *HL*SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
SPECIAL COMMITTEE ON COMMUNIST
TACTICS, STRATEGY AND OBJECTIVES

Tolson	✓
Belmont	✓
Mohr	✓
Callahan	✓
Conrad	✓
DeLoach	✓
Evans	✓
Malone	✓
Rosen	✓
Sullivan	✓
Tavel	✓
Trotter	✓
Tele. Room	✓
Holmes	✓
Gandy	✓

I have received in the mail from [redacted] of the captioned Committee, a proposed draft of the Committee's Annual Report which will be printed and presented to the House of Delegates for approval at the forthcoming Annual Meeting in San Francisco in August, 1962. [redacted] has distributed a draft of this to all members of the Committee, requesting their evaluation and advice as to any proposed additions or corrections.

[redacted] also enclosed a copy of a letter dated 6/21/62, from L. B. Nichols, stating he thinks the proposed Annual Report is very well presented but adds he would like to have seen an introduction which had some news-worthy content, because, otherwise, with the large number of reports coming out at the Annual Meeting, this "might be lost in the shuffle."

b6
b7cRECOMMENDATION:

That this Annual Report be reviewed by the Crime Records and Domestic Intelligence Divisions for any proposed additions, deletions, or other changes which might be made available on an informal basis to [redacted]

✓

*HL**gm**ENC**H*

Enclosure

HLE:mgj

(4)

50 AUG 29 1962

1 - Mr. W. C. Sullivan

1 - Mr. DeLoach

REG-29

5 AUG 24 1962

EX-108

Two/HL

94-1-307-1766
7/18/62
Memo Jones to DeLoach.
JCS

UNITED STATES GO

Memorandum

TO : Mr. DeLoach

DATE: 7-18-62

FROM : M. A. Jones

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
SPECIAL COMMITTEE ON COMMUNIST
TACTICS, STRATEGY AND OBJECTIVES

Tolson	_____
Belmont	_____
Mohr	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

b6
b7c

[redacted] of the captioned Committee, has furnished Inspector H. L. Edwards a proposed draft of the Committee's Annual Report which will be printed and presented to the House of Delegates for approval at the forthcoming Annual Meeting in San Francisco in August, 1962. [redacted] has distributed a draft to all Committee members requesting their evaluation and advice. Mr. Edwards recommended that this Annual Report be reviewed by Crime Records and Domestic Intelligence Divisions for any suggested changes which could be informally given to [redacted]

BRIEF SUMMARY OF ANNUAL REPORT

The Annual Report details the activities of the Special Committee during the last year. It points out, in the beginning, that at the mid 1962 meeting of the ABA this Committee joined the Special Committee on Education in the Contrast Between Liberty Under Law and Communism in a recommendation that the two Committees be consolidated and made a standing committee of the ABA. If approved, the attached report will be the last report of the Special Committee which has served the ABA for 11 years.

During the past year, according to the Annual Report, the Special Committee has initiated an extremely active and highly implemented program of focusing the attention of the Bar and the public on the continuing menace of communism. Special mention is made of the program of sponsoring, with state and local Bar Associations, seminars on communism. These seminars have been held at Cincinnati, St. Louis, Miami, Corpus Christi and Baton Rouge. A first step in planning the seminars was a selection of a master panel of experts, highly skilled and qualified through activity in Government, universities or specialized institutions. Among agencies of Government commended for cooperating with the seminar program is the FBI.

According to the report, the Special Committee's seminars on communism have been favorably received on a national basis. Considerable press coverage was received as well as inquiries from interested individuals and organizations. The American Legion by resolution commended the program and the National Association of Attorneys General, the National Association of Manufacturers and others have offered cooperation. Individuals who participated in the seminars are listed by name and include two Bureau speakers; namely, Cartha DeLoach, Assistant Director, FBI (who

1 - Mr. Edwards
FCS:kmd
(6)

REC-2
AUG 24 1962
Two [initials]

Jones to DeLoach Memo
RE: AMERICAN BAR ASSOCIATION

participated in the St. Louis seminar), and Dr. F.C. Stukenbroeker (who participated in the Baton Rouge seminar). The report adds that kits of books and informative material was supplied at no cost to those attending. Proceedings of the seminars were taped and sound film made of some. Special thanks is given to the FBI, along with the House Committee on Un-American Activities and the Senate Subcommittee on Internal Security for cooperating.

Mention is made that in the Fall of 1961 the Special Committee held a session at Washington, DC, a highlight of which was a full day of orientation at the FBI and a meeting with Mr. Hoover. The Special Committee has kept within its budget. The Richardson Foundation of New York granted \$25,000 and later the Lilly Foundation granted \$35,000. Of these grants a substantial amount remains unexpended and available for future use.

The report points out that present finances enables the Committee next year to go forward on many fronts: (1) Seminar programs on a selected and nationally distributed basis. (2) Institutes for Bar leaders and educators, preceded by national conference on problems and methods of teaching about communism in schools and colleges. (3) Providing of speakers for Bar groups and other meetings. (4) Assistance to educational institutions, e.g., assistance in planning conferences and training programs for teachers, legislation, advice and counsel as to texts and materials. (5) Issuance and distribution of tapes, compiled addresses, etc. (6) Formation of study groups with recommended materials, and other follow up activities of Bar associations. (7) Round table conferences of experts on selected aspects especially pertinent to the bar, such as contrast of American justice under law to the Soviet legal system; the legal and social basis of private ownership of property and its survival over Soviet threat of destruction. (8) Issuance of a news letter and book reviews of current literature. (9) Promotion of public media for purposes of Committee with planned programs. (10) Cooperation with other national organizations in promoting common purpose.

OBSERVATIONS:

The report appears to be an excellent factual summary of the Special Committee's work. It gives credit to the FBI for its cooperation with the ABA. There does not appear to be any changes which we might suggest to

RECOMMENDATION:

That this memorandum be routed to Inspector H. L. Edwards for his information.

No further comments
by Domestic Intelligence
Dis - WCG
✓

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OK
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Thurmond
HW

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b7c

EDWARD L. WRIGHT
ROBERT S. LINDSEY
ALSTON JENNINGS
EDWARD LESTER
ROBERT SHULTS
RONALD A. MAY
JAMES D. STOREY
GEORGE E. LUSK, JR.
WINSLOW DRUMMOND

W. J. WILLIAMS, JR.
PHILIP S. ANDERSON, JR.
EDWARD L. WRIGHT, JR.
RICHARD A. WILLIAMS

J. LINDSEY, JENNINGS, LE
ATTORNEYS AT LAW
1600 TOWER BUILDING
LITTLE ROCK, ARKANSAS
August 21, 1962

JOHN M. HARRISON
WAYNE UPTON
OF COUNSEL

FRANKLIN 5-6483

PERSONAL

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

Dear Mr. Hoover:

1962 C/180781
Thank you very much for your gracious note of August 14 on
my election as Chairman of the House of Delegates of the
American Bar Association.

In the same mail with your thoughtful letter was a note from
my old friend, Joe Casper. His daughter and our youngest
daughter were classmates in high school for three years while
he was stationed in Little Rock and they were the dearest of
friends. As I am sure you are fully aware, Joe was held in
the highest personal and professional regard in Arkansas. As
you further know, it was his lot to handle a number of
difficult and delicate assignments, all of which he discharged
with the greatest efficiency and tact. He does not know that
I am writing you but in view of the coincidence of your and
his letters coming in the same mail I could not refrain from
passing on to you the highest regard in which he is held in
this area.

It was my privilege to introduce the Attorney General when he
spoke to the House of Delegates on August 6. He did an
excellent job on that occasion.

Again expressing my appreciation for your thoughtful letter,
I am

Sincerely

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b7C

ELW:msb

50 AUG 31 1962

EX - 107

13 AUG 28 1962

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. Callahan	
Mr. Conrad	
Mr. DeLoach	
Mr. Evans	
Mr. Malone	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

31 AUG 28 1962

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone

DATE: 8/24/62

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
85TH ANNUAL MEETING
SAN FRANCISCO, CALIFORNIA
AUGUST 6 - 10, 1962
FAMILY LAW SECTION

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

On Sunday, August 5, 1962, SA Supervisor [redacted] attended the public meeting of the Family Law Section held at the Bellevue Hotel. The business discussed concerned the financial standing of the Family Law Section and the results of a recent meeting of the National Conference of Lawyers and Social Workers. It should be noted that this conference is composed of 8 members of the American Bar Association and 8 members of the National Association of Social Workers. [redacted] who is co-chairman of the National Conference of Lawyers and Social Workers advised that there was no discussion on juvenile delinquency or procedures. So far discussion by this conference had been confined to divorce and other social problems. There was no mention made of the Director or the FBI. No problems arose.

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On 8/6/62, the Family Law Section program was covered by SA [redacted]. The first session was concerned with matters of committee administration and the second session consisted of a discussion entitled, "Legislative Guides for the Termination of Parental Rights and Responsibilities and the Adoption of Children." Neither one of these sessions developed matters of jurisdiction or interest to the Bureau.

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It is noted, however, that one of the discussants was [redacted] Commissioner, Office for Children and Youth, State Department of Public Welfare, Harrisburg, Pennsylvania, who emphasized that judicial determination was the only answer for complete severance of parental rights in adoption matters; that mere relinquishment without judicial process was not sufficient.

18 AUG 27 1962

On August 7, 1962, SA [redacted] covered the program presented by the Committee on Juvenile Laws and Procedures chaired by [redacted]. The program consisted of a play written and produced by "Plays for Living." The play would be distributed by the National Council on Crime and Delinquency. The play dealt with a delinquent child in court. It was an extremely good vehicle for presenting many of the problems confronted in juvenile courts but as could be expected had a typical "bleeding heart" pitch. Immediately after the play, [redacted]

1 - Mr. DeLoach
TDW:spd
(3)

TWO

Memorandum to Mr. Malone
Re: Family Law Section

daughter of ABA President, Sylvester Smith, contacted [] and advised that a close friend of hers, the wife of former Undersecretary of the Army [] had received a letter from the "Plays for Living" asking her to see the play and to furnish her comments, suggestions or criticisms concerning the play. [] was introduced to [] and solicited on a confidential basis [] opinion concerning this particular "Play for Living." [] advised [] and [] that it appeared the play was too greatly slanted toward the rehabilitation of the youthful defender regardless of the crime and that these plays might well be improved by having representatives on the Board of Directors, a practicing attorney and a top U. S. law enforcement officer. [] pointed out that this would give balance and proper perspective to an otherwise overweighed do-gooder approach to the problem of juvenile delinquency. [] were delighted b6 and in complete agreement and stated that this would be [] suggestion b7C to "Playsfor Living."

The remainder of the program was devoted to a panel discussion concerning the play and the events portrayed by a panel consisting of: [] Chief Probation Officer of San Mateo County Probation Dept., Belmont, California; [] New York, N. Y., Honorable Florence Kelley, New York, N. Y., Presiding Justice, Domestic Relations Court; [] Dean, School of Criminology, University of California; Berkeley, California, formerly Sheriff, Cook County, Chicago, Illinois; [] Professor of Law, Columbia University Law School, N. Y., [] MD., San Mateo, California, Chief of Child Guidance, San Mateo, Health Service Division.

There was no mention made of the Director or the FBI and no problems arose.

On August 8, 1962, the final session of the Family Law Section was held and was covered by SA Albert P. Clark. Family Law Section heard [] speak on "Practical Problems of Divorce Litigation" and [] Professor of Law, Harvard University, speak at length on "The Tax Aspects of Divorce and Separation Agreements," followed by question and answer period. No mention was made of the FBI and nothing occurred of interest.

Officers were elected for the Section for next year as follows:

Chairman - []
Vice-Chairman - []
Chairman Elect - []
Secretary - []
Council Delegate - []
Council - [] (4 years), [] (4 years), [] (3 years) and
Prof. [] (1 year)

Memorandum to Mr. Malone
Re: American Bar Association
Family Law Section

ACTION:

None....informative.

A handwritten signature in dark ink, appearing to be 'JRM' or similar, located in the center of the page.

AMERICAN BAR ASSOCIATION

1. THE PRESIDENT
JOHN J. SATTERFELL
AMERICAN BAR CENTER
CHICAGO 37, ILLINOIS
HYDE PARK 3 0533

RECEIVED OFFICE
B. 1466
YAZOO CITY, MISSISSIPPI
TELEPHONE 2550

August 9, 1962

Honorable Robert F. Kennedy, Attorney General
Department of Justice
Washington 25, D. C.

Dear Mr. Attorney General:

It was such a pleasure to have you and your top assistants with us at the American Bar Association meeting in San Francisco. I feel it benefits not only the Association but the whole profession of the law to see people like the Attorney General, the Deputy Attorney General and the Solicitor General take an interest in Bar Association work and the practice of law in this great country of ours.

I enjoyed our brief chat, too, and want to assure you of my continuing interest in one of the subjects of our conversation -- the organized bar's role in education against Communism. As you are aware, I made the work of this committee one of the major objectives of my administration as President of the American Bar Association and have every reason to believe that Mr. Sylvester Smith and Mr. Walter Craig, my immediate successors in office, will continue the same kind of emphasis. I hope you will find time to read the enclosed reports of the two special committees which worked in this area during the last year. It is my belief that they made great progress in bringing light to the field of education against Communism.

I'm sure you will be interested to learn that the House of Delegates acted at this convention to consolidate our Special Committees on Communist Tactics, Strategy and Objectives; and Education in the Contrast Between Liberty Under Law and Communism, into a standing Committee on Education Against Communism. This action will give continuity to the organized bar's efforts to educate the lawyers of America in the Communist threat and through them encourage a broad base of education on Communism in our schools and colleges.

To chair the new standing committee, my successor as President of the American Bar Association has chosen [redacted] of Chicago. I enthusiastically endorse his choice. [redacted] is the head of a

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August 8, 1962

sizable law firm, is a lawyer's lawyer and has had extensive experience in the subject field of the Committee.

He has, for instance, been on Secretary of Defense McNamara's Committee of fifteen outstanding Americans to investigate the effectiveness of education in the Armed Forces on the subjects of Citizenship, Communism and Democracy.

He is also General Counsel for the Institute for American Strategy which, since 1955, has sponsored annual conferences on Soviet Foreign Policy, Economic Warfare and the Challenge of Russian Science and Technology.

Under [] leadership, with the sympathetic backing of Mr. Smith and other leaders of the organized bar, I am confident that the Standing Committee on Education Against Communism will bring new light and quality to our national educational program in this area.

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All of us appreciate the aid you have given the Association this year and know that our Committee and the organized bar generally will continue to receive cooperation and support from the various agencies of the Department which you head. Indeed, I would be hopeful that you yourself would make an opportunity to review the program of this Committee and give us your suggestions and criticism. In the meantime, should any special situation come to your attention wherein you think either the Committee on Education Against Communism, or the American Bar Association, can be of assistance please do not hesitate to call upon us.

Yours sincerely,



John C. Satterfield
President

S:m:d

cc: The Honorable Sylvester C. Smith, Jr.

[] Esquire

cc: Admiral W. C. Mott

[] Esquire

[] Esquire

Chicago office

Yazoo City office (?)

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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone

DATE: August 24, 1962

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
STANDING COMMITTEE ON
EDUCATION AGAINST COMMUNISM

Tolson	_____
Belmont	_____
Mohr	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

Attached is an autostat copy of a letter dated 8/9/62 sent by outgoing ABA President John C. Satterfield to Attorney General Kennedy thanking him for his participation and that of his top assistants at the ABA meeting in San Francisco; also emphasizing the importance of the ABA work in education against communism and the fact that this important work will continue to receive emphasis in the years to come. The letter gives the Attorney General a brief biographical run down on [] new chairman of the newly created Standing Committee on Education Against Communism. It expresses appreciation to the Attorney General for the cooperation and support received from the various agencies of the Department of Justice and invites the Attorney General to call upon the ABA anytime they might be of assistance or on any problem which might come to mind.

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I had previously reported in one of the teletype summaries covering the San Francisco meeting that this letter was going to be sent and that at one of the committees mention was made of the great interest which the Attorney General seemed to have in the program of the ABA concerning education against communism.

ACTION:

Information.

Enclosure

1 - Mr. DeLoach
1 - Mr. Sullivan

HLE:ejw

58 SEP 10 1962

ENCLOSURE

REC- 54

94-1-367-1770
5 AUG 29 1962

August, 1962 - #32

CAUTIONARY NOTE

Only the RESOLUTION(S) presented herein, when approved by the House of Delegates, become official policy of the American Bar Association. These are listed under the heading RECOMMENDATION(S). Comments and supporting data listed under the sub-heading REPORT are not approved by the House in its voting and represent only the views of the Section or Committee submitting them. Reports containing NO recommendations (resolutions) for specific action by the House are merely informative and likewise represent only the views of the Section or Committee.

AMERICAN BAR ASSOCIATION
SUPPLEMENTARY REPORT OF
SPECIAL COMMITTEE ON

COMMUNIST TACTICS, STRATEGY AND OBJECTIVES

We the undersigned being members of the Committee meeting in San Francisco, submit this supplementary Report.

The Committee realized the urgent need for a comprehensive and authoritative textbook to provide the citizens of our nation, especially in the classroom of high school and college level, with the essential knowledge and truth about the evils of Communism and the insidious ways it seeks to destroy our American system of constitutional government.

Members of the Committee and President John Satterfield of the American Bar Association urged Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, to undertake the task of preparing such a textbook.

Mr. Hoover recognized and acknowledged the need for such a comprehensive text and responded to this request, and we are pleased to report that on October 1, 1962 A Study of Communism by J. Edgar Hoover will be published.

We express to the Honorable J. Edgar Hoover our thanks and appreciation for this important work and we urge the members of the Association to make use of, and encourage wide distribution of, the book.

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[Redacted]
Raymond W. Miller, Acting
Chairman
William C. Mott

Louis B. Nichols

Mario T. Noto

[Redacted]
John C. Satterfield, Ex-Officio

94-1-30-1771
ENCLOSURE

(Mount Clipping in Space Below)

ABA Endorses Book by Hoover

J. Edgar Hoover, FBI director, won official recognition from the American Bar Assn. Wednesday for his new book, "A Study of Communism," scheduled for publication Oct. 1.

The association's House of Delegates accepted a report of its special committee on Communist tactics, strategy and objectives, which said in part:

"We urge the members of the association to make use of, and encourage wide distribution of the book."

(Indicate page, name of newspaper, city and state.)

Pg. 10

News Call Bulletin

San Francisco, Calif.

Date: **8-8-62**
Edition: **9 Star Final**
Author:
Editor: **Thomas Eastham**
Title:

Character:
or
Classification:
Submitting Office:

San Francisco, Calif.

94-1-30-1771
ENCLOSURE

REFERENCES

(Mount Clipping in Space Below)

Hoover's Book on Communism Lauded

FBI Director J. Edgar Hoover was commended by the American Bar Association yesterday for his forthcoming new book, "A Study of Communism."

The textbook, scheduled for publication Oct. 1, is designed for use by students.

The association's commendation came in its acceptance of a report on the book by the ABA's Special Committee on Communist Tactics, Strategy and Objectives.

Outgoing ABA President John C. Satterfield, the association said, had urged Hoover to write the book "in view of the urgent need to enlighten American citizens ... to the essential truths about Communism and the

insidious ways it seeks to destroy our American system of constitutional government."

(Indicate page, name of newspaper, city and state.)

Pg. 12

S.F. Examiner

San Francisco, Calif.

Date: 8-9-62
Edition: Final
Author:
Editor: Edmund J. Dooley
Title:

Character:
or
Classification:
Submitting Office:

94-1-3641771

RECEIVED

(Mount Clipping in Space Below)

Bar Delegates Hail FBI Chief For New Book

J. Edgar Hoover, director of the Federal Bureau of Investigation, was commended by the House of Delegates of the American Bar Association yesterday.

Their official action praised Hoover for undertaking a new book, "A Study of Communism," to be published October 1.

The association's Special Committee on Communist Tactics, Strategy and Objectives, which met during the meeting here, declared "We express to the Honorable J. Edgar Hoover our thanks and appreciation for this important work and we urge members of the association to . . . encourage wide distribution of the book."

(Indicate page, name of newspaper, city and state.)

Pg.7

S.F.Chronicle

San Francisco, Calif.

Date: 8-9-62
Edition: Final
Author:
Editor: Charles deYoung
Title: Thieriot

Character:
or
Classification:
Submitting Office:

94-1-369-1771

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone

DATE: August 22, 1962

FROM : H. L. Edwards *HL*

SUBJECT: AMERICAN BAR ASSOCIATION
ANNUAL MEETING, SAN FRANCISCO
PUBLICITY CONCERNING DIRECTOR'S
FORTHCOMING BOOK "A STUDY OF COMMUNISM"

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

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Attached are four news clippings from San Francisco papers publicizing the Director's forthcoming book "A Study of Communism" which resulted from the action in the ABA House of Delegates in accepting the Supplementary Report of the Special Committee on Communist Tactics, Strategy and Objectives which commended the book and urged members of the American Bar Association to make use of and encourage wide distribution of the book. A copy of the Supplementary Report is also attached.

RECOMMENDATION:

That this memorandum be referred to the Crime Records Division for its information.

ENCLOSURE

EX-114

Enclosures (5)
1 - Mr. DeLoach
1 - Mr. Sullivan
HLE:hcv
(4)

REC-69

18 AUG 28 1962

TWO

SEP 6 1962

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone

DATE: 8/17/62

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
STANDING COMMITTEE ON THE BILL OF RIGHTS

Tolson _____
 Belmont _____
 Mohr _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Sullivan _____
 Tavel _____
 Trotter _____
 Tele. Room _____
 Holmes _____
 Gandy _____

The Standing Committee on the Bill of Rights is chaired by Alfred J. Schweppe of Seattle, Washington. At the 1962 Annual Meeting of the ABA held at San Francisco, August 6 - 10, 1962, the Standing Committee on the Bill of Rights submitted a report to the House of Delegates in which they took the position that Communist leaders have no legal right to speak on college campuses and that there is no question of the Bill of Rights being involved when Communists are denied the use of campuses as speaking platforms. The report says the Communist party has been declared by Congress to be "in fact an instrumentality of a conspiracy to overthrow the government of the United States" and that the Subversive Activities Control Board has held that the Communist party in the U. S. is foreign controlled and operated "primarily to advance the objectives of the world communist movement", including "the overthrow of existing governments". These findings were accepted, the report continues, by the U. S. Supreme Court in its decision of June 5, 1961, upholding the registration requirements of the federal law.

The Bill of Rights, including the right of free speech, is a series of legal rights (of individuals) against the state and federal governments", the report says. "A legal right is one that may be enforced or protected in the courts. It is a mistaken notion to discuss in terms of the Bill of Rights a situation in which the right cannot be enforced in court, because the Bill of Rights is in no way involved.

The Committee did not believe that the officers of the Communist Party U.S.A., still fully dedicated to advance the objectives of communism, which includes the overthrow of the government of the United States by force and violence, have a legally enforceable right in court to speak on the campus of a state-supported institution; nor, in the opinion of the Committee, have the students or faculty members of such an institution a legally enforceable right to require that such communist officers be allowed to speak on such campuses....

The Committee stated that at least some of these institutions have complete control over their properties and may lawfully deny use of campus facilities to any person not connected with the institution."

1 - Mr. Sullivan

TDW:spd

57 SEP 5 1962

SEP 4 1962

12 AUG 31 1962

RECORDED COPY FILED IN 100-3-114

Memo to Mr. Malone
Re: American Bar Association (ABA)
Standing Committee on the Bill of Rights

The Committee said it was aware that practices have varied among higher educational institutions, both public and private, in granting campus platforms for Communist speakers, "but the Committee does not concern itself here with notions of academic freedom not connected with the Bill of Rights in the legal sense".

The report was of an informational nature, not calling for any action by the House of Delegates, the 257-member policy making body of the ABA.

It should be noted that considerable publicity resulted from this Committee's report inasmuch as California was one of the focal points for the argument that had been raging as to the Communists' right to utilize a college campus for speechmaking purposes.

ACTION:

None...informative.

*1/1 Kucera
8/22* *HV* *OPM*

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone

DATE: 8/24/62

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
85TH ANNUAL MEETING
SAN FRANCISCO, CALIFORNIA
AUGUST 6 - 10, 1962

Tolson ☒
Belmont ☒
Mohr ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Malone ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

SYNOPSIS

All sessions of the ABA Assembly and House of Delegates were covered and all pertinent activities reported in Details of memorandum. No derogatory remarks were made at any of the sessions concerning either the Director or the FBI. At the first session of the Assembly, ABA President, John C. Satterfield made a major speech in which he highly praised the Director and the FBI for the continuing fight against Communism. While making his speech Satterfield made no reference to the expanded Fugitive Felon Statute but in the prepared text of the speech which was released to the press, President Satterfield criticized this statute as exemplary of Federal encroachment on the states in that it was used to circumvent the Uniform Extradition Act. The error of this was later pointed out to Satterfield by Inspector Edwards and Satterfield was most apologetic and stated that he did not understand the actual operation of the Fugitive Felon Statute. Attorney General Robert Kennedy addressed the House of Delegates and among other things advocated public defenders in the Federal system.

Pertinent sessions of the Anti-Trust Law Section, the Judicial Administration Section and the Labor Relations Law Section covered and those proceedings of interest set forth in detail in the Details of this memorandum. There were no derogatory comments during any of these sessions concerning the Director or the FBI.

ACTION:

None...informative.

- 1 - Mr. DeLoach
- 1 - Mr. Rosen
- 1 - Mr. Evans
- 1 - Mr. Sullivan

TDW:spc
(6)

Enclosures(2)

50 SEP 10 1962

REC-16

94-1-369-1773

10 SEP 4 1962

EX-116

TWO

DETAILS

The Assembly
First Session
August 6, 1962

Coverage of this program was by SA [REDACTED]

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Mr. John C. Satterfield, President, ABA, of Yazoo City, Missouri, called the First Session to order commenting that the 85th Convention of the ABA was the largest gathering of the legal profession ever held in the United States. [REDACTED] sang the National Anthem and also the National Anthem of England. The Right Rev. James A. Pike, Bishop of the Episcopal Diocese of California gave the invocation.

Governor Edmund G. Brown of California presented the first address of welcome from the state of California to the ABA. His address, after usual formalities of welcome included a strong and dynamic attack against the John Birch Society for its "...wild and vicious attacks against the U. S. Supreme Court and Chief Justice Earl Warren." Governor Brown commented that the John Birch Society and other similar so-called conservative groups "...tend to follow their particular concern and ideologies rather than a true conservative philosophy."

Governor Brown stated in strong and forceful verbage and enunciating ridicule that "...the John Birch Society's leader, Welch, claimed that President Eisenhower had to check to be sure and certain that Earl Warren would take the Communist side before he appointed Warren as Chief Justice."

In closing, Governor Brown stated that the people of the U.S. should support the U. S. Supreme Court even though there is a disagreement; that this is the acid test of a maturity as a people. He stated that the presentation of The Rule by Law is involved here. The Governor's address was received with popularity as evidenced by strong and long ovation.

Mr. George Christopher, Mayor of San Francisco, presented the second and last address of welcome. His address consisted primarily of the welcome extended by the city of San Francisco to the ABA. He referred to his personal interview with Premier Nikita Krushchev during his visit to Moscow in 1960 when he alleged Krushchev exclaimed that the U. S. form of government was negative toward the desire of the people; that the U. S. people are complacent and that there was an impending collapse of the U. S. system of government. Mr. Christopher closed by stating that Law is the backbone of our Nation and that "...the ABA would be instrumental in expressing its feelings upon this all important question."

Following the address of welcome were the introductions of distinguished guests, including U. S. Supreme Court Justice Clark, Brennan and White and Lord Chief Justice of England, and other administrative type functions of the ABA including the

The Assembly
First Session

nomination of assembly debate and presentation of awards and commendations.

Mr. John C. Satterfield, President, ABA, in the Annual Address of the President entitled, "Law and Lawyers in a Changing World" stated that in his consideration the two major problems to be confronted by the legal profession now and in the future were:

1. The Communist Menace
2. Central Federal Power Encroachment on State Powers.

Mr. Satterfield stated that a definite distinction must be drawn between the two; that there is no connection between them even though there are apparent similarities between them.

Mr. Satterfield drew a distinction between Centralism and Socialism and commented on the confusion caused in this regard by communism - ie: clouds the true distinction between Centralism and Socialism.

He stated that the Honorable John Edgar Hoover, Director, of the FBI, recently stated that the public should know what Communism really is. Mr. Satterfield stated that in order to not indiscriminately label an organization communistic we should analyze the differences among Centralism, Socialism, Liberalism and Communism. He stated that the public should realize that Communism uses tactics to confuse its enemies and that the U. S. is an enemy to Communism.

He emphasized that the ABA should study and classify these philosophies.

Concerning Central Federal Power Encroachment on State Power, Mr. Satterfield warned of a continuing march by Federal Courts and Federal Agencies in encroaching upon the power of the individual states. He warned of increasing supervision by Federal courts over state courts and Federal agencies over State and Local Agencies whenever "...there occurs an incident that might possibly involve a matter of Federal concern." He stated that as a result the state proceedings are getting less dignified and that a grave danger exists that should this process continue the Federal courts and Agencies will preempt many fields of state primary jurisdiction.

In conclusion Mr. Satterfield commented that the rights of society must be maintained above the rights of the individual person. He stated that current trends of law enforcement are exhausting the individual rights in respect to the indivisible rights of all individuals. He did not further clarify this statement but commented that this deduction was true in light of the current judicial interpretation of the decisions concerning Search and Seizure.

**The Assembly
First Session**

It should be noted that Satterfield made no comment in the actual speech that he delivered concerning the expanded Fugitive Felon Statute, however, in the prepared text of the speech which was released to the press, Satterfield referred to the encroaching Federal power on the states and used the Fugitive Felon Statute as an example of the extension of Federal power. In the prepared text, Satterfield said that the Fugitive Felon Act was used to circumvent the Uniform Extradition Act. Inspector H. L. Edwards subsequently contacted Mr. Satterfield and explained the operation of the Fugitive Felon Statute pointing out to Satterfield that the FBI does not accept for investigation such a case until the local prosecuting attorney has agreed, usually in writing, to extradite the fugitive wherever the FBI may locate him. Edwards made it crystal clear to Satterfield that Federal removal proceedings are not used as a substitute for state extradition proceedings. Satterfield was apologetic and stated that he had not understood this. Satterfield stated that he certainly did not mean this remark as a criticism of the FBI but only as to the legislative intent behind the statute. Edwards reminded Satterfield that in August, 1961, the American Bar Association had endorsed this legislation and urged Congressional passage.

**THE ASSEMBLY
SECOND SESSION**

This session was covered by SA

Addresses were presented by Honorable Stanley E. Fennell, Quebec, Canada, President, The Canadian Bar Association, and The Honorable Barry M. Goldwater, U. S. Senator from Arizona. The Honorable Fennell's address concerned matters of history and development of Canadian law. The Honorable Goldwater's address was concerned with Labor Management Relations and the alleged Federal role of granting excessive rights and powers to labor organizations to the jeopardy of the public. He deplored concentrated power as currently exercised by the Federal Government in the labor management field stating that this was contrary to the best public interest. There were no complimentary or unfavorable remarks made for or against the Director or the Bureau.

**THE ASSEMBLY
GENERAL SESSION
August 9, 1962**

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This meeting was covered by SA

This session consisted of addresses by The Rt. Honorable Lord Chief Justice Parker of England, and Honorable Allen W. Dulles, former Director, CIA, Washington, D. C., and a Report of Committee on Resolutions as read by the Executive Secretary of the ABA and voted thereon by the Assembly.

The Assembly
General Session
August 9, 1962

The Rt. Honorable Lord Parker spoke on Legal Aid as provided by the Bar in England for both civil and criminal actions. He stressed the voluntarily participation of the Bar, the increasing demands of legal aid to individuals qualifying for such, ie: discretion of the court for the interest of justice and the economic means of the individual. He made special mention that it was evident that because of the provision of legal aid there was an increase in litigation reaching the courts!

The Honorable Allen W. Dulles presented an address entitled "An Analysis of Communist Techniques for Conquest." His presentation did not vary substantially from his press release as obtained by Inspector Edwards. He appeared to read his address and deviated occasionally in choice of adjectives. (~~Press release attached~~).

During the Report of Committees on Resolutions as read by the executive secretary of the ABA a "Second group of proposals" was voted on and passed without anyone voicing an objection. Voting was oral. Among this group of proposals passed was a proposal for the merger of The Special Committee on Communist Tactics, Strategy and Objectives and The Special Committee on Education in the Contrast Between Liberty Under the Law and Communism and that the Standing Committee on Education in Communism supersede these prior two committees.

There was nothing complimentary or unfavorable mentioned regarding the Bureau or the Director.

House of Delegates
Opening Session
August 6, 1962

This meeting was covered by SA [redacted]

The session was called to order by the Chairman [redacted]. He warned spectators not to enter area occupied by the House of Delegates.

Roll of delegates from states called by Secretary, Joseph D. Calhoun.

Henry L. Woolfenden reported on credentials and admissions certifying that all delegates called were duly qualified and elected. The record filed with the Secretary was approved. b6 b7C

The Secretary called the roll of House of Delegate members who have died since the last session.

[redacted] called for offering of resolutions to be submitted to Committees. None was offered.

The Calendar as Orders of the Day was approved.

The nomination of officers of the Board of Governors of the ABA was read and these nominations were published in the April, 1962, issue of the American Bar Association Journal as required. The nominations made were elected by the House by voice vote.

President Satterfield gave a report of his year's activity stating he had travelled 305,222 air miles, made 230 speeches in 46 states, and had travelled to 22 foreign countries, meeting with lawyers of 109 nations. He stated that the ABA has 1244 new members during the year. He announced that the ABA had put out 12,951 Lawyers Handbooks. He complimented the good work the Committee on Communism has been doing, which Attorney General Kennedy acknowledges and agrees with. He stated that this committee had been working with National Education Association, and other agencies (not specified) in the Committee's work on Communism. He also compliments the Committee on Relation of Lawyers with Other Nations. He then generally complimented all the lawyers of the various committees for their untiring work.

Delegate Berine of Texas introduced the Postmaster General of the U. S. who made a short statement of greeting. The President of the Japanese Bar Association was introduced with no comment from him.

The Chairman of the Board of Elections certified that the new delegates seated at this session were duly elected, but that some states are contesting the number of delegates allowed to their respective states and this matter would be taken up by the Board at a later date of this convention.

House of Delegates
Opening Session
August 6, 1962

The Treasurer of the ABA read his report which was adopted.

Associate Justice Tom Clark was introduced with a standing ovation. .

The report of the Budget Committee was adopted, statements being made that the ABA is in good financial condition. b6
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At 3:00 p.m. The Attorney General was introduced. The Attorney General acknowledge the person who introduced him as [redacted] He had four main themes, three of which pertain to the Bureau's work. He outlined the progress that the Department has made in field of civil rights, and the success that the Department has had with local authorities in most instances in solving civil rights explosive problems. He paid special tribute in this regard to Assistant Attorney General Burke Marshall. He then outlined the progress that the Department had made in fighting organized crime; that crime is not only an economic waste, but a breakdown of the moral fiber of the nation. He outlined the progress that had been made in exposing corrupt public officials, and the desperately needed legislation which has been passed in order that organized crime can be combatted. The third point he made was the necessity to enforce the anti-trust laws, and combat the fixing of prices or attempts to portion territories to certain monopolies. The fourth point he made was the necessity to aid to indigent persons not only in State Courts but also in Federal Courts, with capable and efficient counsel.

The speech of the Attorney General was well received by a capacity house of delegates and visitors with standing room only.

After the Attorney General's speech the delegates passed several resolutions and received several reports which are attached, and notations made of the action taken. None of these resolutions or reports are of interest to the Bureau with the possible exception of the Report of the Special Committee on Education in the Contrast Between Liberty under Law and Communism. The report of this committee was received by the delegates. This committee urges the continuance of the teachings in schools and colleges by adequate instruction in the history, doctrines and techniques of Communism, thereby helping to instill a greater appreciation of democracy and freedom. This committee has been working with the National Education Association in this matter.

On Monday, August 6, the House of Delegates formally elected the ABA President for the forthcoming year. Elected was Sylvester C. Smith, Jr. Mr. Smith was elected for a one year term which will begin at the close of the present annual meeting. Mr. Smith is an SAC contact of the Newark Office. Elected as President-elect, which is tantamount to automatic election to President for the year following Mr. Smith presidency was Walter E. Craig, Phoenix, Arizona. Both Smith and Craig are close personal friends of Edwards [redacted] who have been developing them since it became apparent some

House of Delegates
Opening Session
August 6, 1962

two years ago that they were earmarked for the future presidency. Also elected by the House of Delegates for a two year term as Chairman of the House of Delegates was Edward L. Wright, Little Rock, Arkansas.

Am. Bar Assn.

House of Delegates
Morning and Afternoon Session
August 7, 1962

This matter was covered by SA

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Session of the House was opened at 9:30 a. m. with nominations for a member of the Committee on Correlations. In adoption of the Recommendations and Resolutions of the Section on Family Law it was emphasized that the Social Security System should make available to legitimate law enforcement agencies and various Bar Associations the last known address of the adult responsible for the support and maintenance of a minor child or an indigent wife, when such adult flees his responsibilities.

The Undersecretary of State George W. Ball was introduced and said a few words of greeting.

A motion was made to eliminate the present existing dual committees on communism, and set up a Standing Committee on Education Against Communism to prevent overlapping dual jurisdiction. The way the resolution and amendment read this committee would work to promote the teaching in schools and colleges by adequate instructors on the contrast between liberty under law and communism. Delegate Walter Ely of California took the floor and objected to the limited scope of the proposed Standing Committee's study of communism only. He stated that "the other night I heard a comedian say that there were 10,000 Communists in the United States and that 5200 of them were in the FBI. As far as I'm concerned I've never met or known an actual communist." He went on to state that there are a lot of groups in this country that have advocated impeachment of the former President of the United States, the Chief Justice of the Supreme Court, etc., and that he, Ely, would like to have the new Standing Committee study and look into all ideologies and not just communism, so that the children in the schools will learn of all the varieties of extremist. The motion for the new committee was adopted without the amendment sought by Ely.

Chairman of the Federal Judiciary Section, of Philadelphia, Pennsylvania, gave a report of this committee's work in working with the Department of Justice in studying the qualifications for nomination and appointees to the Federal bench. He related the extremely good relations the ABA committee has had with Robert Kennedy and his staff. He outlined how the committee of the ABA had reported to the Attorney General favorably on 105 nominations by the Attorney General were men well

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House of Delegates
Opening Session
August 6, 1962

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qualified for the Federal Bench who were appointed, and that the committee had reported unfavorably as unqualified 8 appointees to the Federal Bench. He further stated that the committee reported unfavorably on 158 nominees who were not qualified and not appointed. He pointed out at the end of the Eisenhower administration the balance of Federal Judges who were Republicans and Democrats were pretty well equally in balance. At the beginning of the Kennedy administration Kennedy made 84 Federal Judge appointments who were Democrats, one liberal and no Republicans. [] decried this discrimination in favor of Democrats, and felt that Kennedy had missed a great opportunity to create a bi-partisan atmosphere by the appointment of qualified Republican Judges. He stated that his committee had called this to the attention of the Attorney General and since March 12, 1962, of this year appointments made to Federal Judgeships were 13 Democrats and 8 Republicans, and he felt that this was a good step in the right direction for bi-partisan atmosphere in the Judiciary.

Deputy Attorney General Katzenbach was introduced and spoke highly of [] and the Attorney General's relationship with the ABA committee. He defended the Democratic appointments by sighting that by the ABA committee's recommendation as well qualified total 70% this does not sound like party patronage. He stated that the history of the country shows that all political parties in the United States that are in power at the time favor qualified men of that party. He emphasized that Kennedy is most serious about putting the best qualified men in Judgeships, because one third of the prosecutions in Federal courts are conducted by the Federal government so it is to the interest of the Attorney General that the best qualified men be judges. He pointed out that the committee may be disappointed in the appointment of 8 Federal Judges who the committee reported as not qualified, but it may well be that these eight in time will turn out to be well qualified, and of those that the committee has reported well qualified, some may turn out as not being well qualified. He stated the appointment of Federal Judges is strictly the responsibility of the President, and he is willing to accept this, and Katzenbach was sure that the ABA did not want to have a veto power over the responsibility of the President in this field.

The rest of the morning was taken up with the adoption of amendments to the ABA Constitution and by-laws, none of which were of interest to the Bureau.

The afternoon session was called at 2:12 p.m. with an address by the President of the American Medical Association. No mention was made of the Bureau or its work. The balance of the afternoon was taken up with argument over the Committee on Specialization's report, which did not affect the Bureau. This was a very heated controversy which lasted for one hour and forty-five minutes.

Adjournment at 4:32 p.m. until 9:30 a.m., 8/9/62.

House of Delegates

Morning Session

August 9, 1962

This meeting was covered by SA

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House of Delegates opened at 9:30 a. m. Many resolutions and reports were adopted and received, none of which has any connection with the Bureau or its work except the following:

The report of the Section on Anti-Trust Law was received and the recommendations of the Section adopted. The main theme of this report is that the ABA disapproves of and opposes S. J. 159, 87th Congress, and any proposed legislation which would attempt to create a federal right of enforcement of resale price maintenance by private persons, and the officers of the Section of Anti-Trust Law are directed to urge such opposition and with any legislation embodying such concept. The ABA is opposed to any amendment of the Federal Trade Commission Act which would further expand the philosophy of so-called fair trade acts and create a Federal right of action in the enforcement of fair trade contracts. It was argued that the above bill if passed is wholly inconsistent with the American free trade policy of open competition in business. The FBI was not mentioned in any of the speeches; however, it is obvious that if this bill would be passed the Bureau in its enforcement of anti-trust violations would have a larger scope of enforcement.

The report of the Standing Committee on the Bill of Rights was received and adopted. One of the matters studied by this committee is the "Bill of Rights as being involved where officers of the Communist Party, USA, have or seek speaking engagements at state supported higher educational institutions." The Committee is of the opinion that no question of the Bill of Rights is involved in these campus appearances, whatever may be one's notion about academic freedom. The Committee does not feel that the officers of the Communist Party have a legally enforceable right in Court to speak on the campus of a state supported institution, nor in the opinion of the Committee have the students or faculty members of such an institution a legally enforceable right to require that such communist officers be allowed to speak on such campuses. No mention was made of the FBI during the introduction of this report.

Resolutions adopted at this session and reports received are attached and marginal notations made of action taken on matters of no interest to the Bureau.

House of Delegates, ABA and Assembly
Final Session
August 10, 1962

This meeting was covered by SA

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House in Session 9:31 a. m.

Report on Standing Committee on State Legislation presented and considerable debate developed on adoption of Uniform Laws on various subjects. Report not received and House voted to refer the matter back to the committee for further study on these matters and report back to the House. Nothing of Bureau significance.

The report on the Standing Committee of Law Lists was received.

Resolution thanking San Francisco Bar Association, the Lawyers Club of San Francisco, The California State Bar and other groups who assisted in making this Bar Convention the largest and most pleasant was adopted.

The new Chairman of the House was introduced and he entertained a motion to adjourn which was adopted.

Reports received and action taken attached with marginal notes.

Anti-Trust Law Section

General Session

August 6, 1962

This meeting was covered by SA Albert P. Clark

Section met under Chairman [] and heard following speakers:

Professor [] on 'Developments in the Law'

[] on "Developments in Congress"

Assistant Attorney General [] on "Significant New Anti-trust Developments"

Federal Trade Commission Chairman [] on "Significant New Commission Developments"

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Professor [] cited the Brown Shoe Case as a return to the rule of reason approach in interpretation of the Clayton Act. He views the Department's Anti-trust Division record as favorable. He deplored the possibility of investigative technique utilized by Congressional Committees with their desire for publicity. He urged better incentive for Anti-trust Section and FTC personnel as one of the better ways of improving Anti-trust legislation.

[] reviewed legislation introduced, passed and pending in Congress during past year.

Assistant Attorney General [] cited as the two highly significant developments of the past year the ratification by the Supreme Court of Section 1 of the Sherman Act and Section 7 of the Clayton Act. Section 1 deals with the indictment of individual or corporate officers in cases involving restraint of trade. Section 7 prohibits mergers by two companies by acquisition by one of the shares, stock or assets of the other where there will be any lessening of competition in any market or sub-market.

FTC Chairman [] did not deliver his prepared speech. He touched on the length of time necessary to hear cases before the commission. He answered criticism of attorneys by questioning their sincerity in the belief in the free enterprise, competitive system. He challenged those present to come up with the right answer to the problem facing the Commission and the Government in the anti-trust field, to come to the Government with their help and assistance and not to continue to hire away most of the good attorneys which the FTC after 2 to 4 years succeeds in training. He suggested a scholarship program for children of Federal employees as a fringe benefit to prolong their government service. He indicated that the Commission has 1000 discrimination cases alone and it would take an FTC ten times as large to handle just these. He enumerated other problems, making a forceful speech and completely won the sympathy of the audience.

No references were made to the FBI or to the Director by the Chairman or by any of the speakers.

Anti-Trust Law Section

Symposium

August 7, 1962

This meeting was covered by SA Albert P. Clark

Symposium composed of four speakers:

[redacted] "Power and Relationship of the FTC Hearing Examiner"
Washington, D. C.:

[redacted] "\$5,000 A Day"
Washington, D. C.:

[redacted] "Criminal Anti-trust Liability of Corporate Representatives"
Washington, D. C.:

[redacted] "Injury and Causation Elements in an Anti-trust Action" b6
Chicago, Illinois: b7C

[redacted] reviewed the power and duties of Examiners who hear cases for the FTC. He suggested repeal of the FTC's 90-day rule whereby the Examiner is required to file findings within 90 days after evidence is in. He favors repeal of the FTC requirement that a hearing has to be continued at the same place once they have begun. He favors immediate repeal of the FTC order removing the power of the Examiner to supervise and approve consent settlements. He is opposed to the Examiners having offices in the same buildings as the FTC. He favors increased compensation for Examiners to insure better qualified men. He urged the ABA members to support the Examiners and their independent status.

[redacted] spoke on the civil penalties under the provisions of the FTC Act, \$5,000 a day for failure to abide by a final order of the FTC. He was critical of foggy, obscure and "catchall" language in FTC orders. He laid part of the blame for this on the law and on attorneys themselves. He does not expect penalties anywhere near the maximum allowed. He does not expect improvement in the language of FTC orders until this is required by courts. He favors the use of more specific, affirmative language in FTC orders and modifications of FTC orders where facts, newly discovered, justify. He feels the necessity of a real test of the penalties which may be levied.

[redacted] reviewed the increasing number of criminal indictments sought by the Department, specifically touching on the Weis case wherein the standards are clarified. He questioned the use of criminal proceedings except where the facts of the violation are clear and the question of law is settled. He categorized violators as; 1. Those who think they are too small and insignificant to come to the attention of the Department and are surprised when the FBI pays them a visit, 2. Those who know but ignore the possible consequences of their acts, and 3. Those who feel they have to fix prices and markets to stay competitive and stay in business. He made the point that the business community is

Anti-Trust Law Section

Symposium

August 7, 1962

This meeting was covered by SA Albert P. Clark

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becoming well aware of the possible personal financial loss from suits directed to them and to the danger of adverse publicity and jail terms.

[redacted] speech was on the possibility of individual causes of action against companies for treble damages under the Clayton Act. The requirements of Section 4 are that the Plaintiff must establish a violation through proof of conspiracy, prove injury to his business and prove causal connection between the violation and the injury. He pointed out that it is very difficult to establish proof of injury and causation - hard to reconstruct what would have happened had the alleged conspiracy not occurred. Recovery has consistently been denied in secondary or derivative losses which are not personal but only an impairment of relationship between the individual or company bringing the suit and the company guilty under the anti-trust ruling, e.g., stockholders and suppliers. Courts are using the "target area" principle in determining the directness of the injury. He favors clarification of injury and causation elements in this type of suit.

None of the speakers made any reference to the Bureau or to the Director which could be considered in any way derogatory or complimentary.

Anti-Trust Law Section

Symposium

August 7, 1962

2:00 p.m.

This meeting was covered by SA Albert P. Clark

Afternoon symposium composed of three speakers:

Stanley Mosk, Attorney General of California, "State Anti-trust Enforcement and Coordination with Federal Enforcement"

[redacted] Chicago, "The Civil Investigative Demand"

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[redacted] Washington, D.C., "Proposals for Balancing All Public Interests in Fashioning Anti-trust Remedies"

Mosk spoke on the cooperation between Federal Government and the State of California on Anti-trust problems. He reviewed the history of AT legislation in California. Whereas only 4 cases were brought between 1907 and 1959, 10 civil and 1 criminal have been brought since 1959 under the Cartwright Act. Most have been on the suppression of competition among suppliers of public and governmental agencies. There is a broad area

Anti-Trust Law Section
Symposium
August 7, 1962
2:00 p. m.

of concurrent jurisdiction between State and Federal governments. There is no conflict between the two. California has repeatedly concentrated on cases which lie within the State and turn over to the Federal Government those where there is interstate ramifications. He has no fear of any internecine warfare between State and Federal agencies in California. He cited a number of recent state Anti-trust cases wherein the courts have held that there is no Federal pre-emption, even though there are interstate aspects involved. Most recent was Texas v. National Electrical Contractors Association (Texas Court of Civil Appeals), decided in June, 1962. Concluded by saying that he found no difficulty in coordinating his efforts in California with those of the Federal Government.

[] spoke on the Civil Investigative Demand bill which he understands has been recommitted by Congress. It is a tool to allow pre-complaint investigation in civil anti-trust proceedings contemplated by the Department. It provides for a statement prepared by the Department addressed to the proposed defendant setting out just what documentary material is sought, the nature of the offense to be alleged and the provision of the law applicable. He referred to the FBI as the agency which conducts most of the investigations. The statement is for the purpose of determining if any person, i. e., corporation, partnership, etc., is in violation of the Sherman, Wilson Tariff, Clayton or FTC Act. He posed unanswered questions such as; 1. Does the new law mean that the Department of Justice will now be able to investigate violations of the FTC Act?, and 2. Does it mean that the Department cannot bring such action against a natural person? He criticized the law as an extension of "mail order investigation" but feels that the act will be useful as a tool in anti-trust investigations. b6 b7C

[] presented the conclusion that after 70 years there is evidence that antitrust legislation does not do the job for which it was intended and that laws passed since then have been patchwork. He called for reappraisal of anti-trust remedies to bring them in line with today's economy. He does not favor an approach case by case as now but an industrywide approach. He wants to build into anti-trust laws consistency and coordination with national policies and values, not to be concerned with one narrow aspect of public interest. He wants to keep anti-trust a creative force in our national life.

No complimentary or derogatory references were made concerning the FBI during the speeches or during questions propounded to the speakers afterwards.

Judicial Administration Section

August 6, 1962

12:15 p.m.

This meeting was covered by SA Philip G. Bowser, Jr.

Alfred P. Murrah, U. S. Court of Appeals, Oklahoma, gave a luncheon speech at the Peacock Court of the Mark Hopkins Hotel which consisted of humorous anecdotes relative to judges. No mention of the FBI or anything of interest.

Judicial Administration Section

August 6, 1962

2:15 p.m.

This meeting was covered by SA Philip G. Bowser, Jr.

Chief Justice Raymond Wilkins of Massachusetts presided over a panel on "Post-conviction Remedies."

Panelist Judge Carl V. Weygandt stated that he was a member of an ABA committee that was formed to prepare some Federal act regulating the use of habeas corpus proceedings. The drafted legislation was presented to the Judicial Committee of the Senate but died there when it was found that several Supreme Court Justices did not agree with the legislation. There have been no further developments in this matter.

Panelist Frank Kenison, Supreme Court of New Hampshire, advised that there are a number of states that still have no state post-conviction remedies and that California has a broad habeas corpus interpretation and New York achieves the same thing by broad use of coram novis.

Panelist Chief Justice William C. McAllister of Oregon stated that four states have passed acts providing for post-conviction remedies, which are Illinois, 1949; North Carolina, 1951; Arkansas, 1957; Maryland, 1958; and Oregon, 1959. Arkansas repealed theirs in 1959. He stated these statutes have been very helpful in Oregon and have helped to ease the appeal burden on the courts.

No mention made of the FBI and nothing of interest.

After the meeting, Judge Weygandt expressed great admiration for the Bureau and the caliber of the Agents with whom he had come in contact.

Judicial Administration Section

August 7, 1962

10:00 a.m.

This meeting was covered by SA Philip G. Bowser, Jr.

MODEL JUDICIAL ARTICLE
Presiding - Ivan Lee Holt

Judge W. St. John Garwood, Austin, Texas, spoke on the selection and tenure of judges under the Article and the advantage of constitutional enactment.

Whitney North Seymour, New York City, New York, spoke on the court aspects of the Article.

Robert C. Finley, Chief Justice, State of Washington, spoke on the administrative features of the Article.

All spoke in favor of it.

No mention of the FBI and nothing of interest.

Judicial Administration Section

August 7, 1962

2:00 p. m.

This meeting was covered by SA Philip G. Bowser, Jr.

LAW AND THE LAYMEN
Presiding - [REDACTED]
New York City, N. Y.

[REDACTED] gave a general talk on the need for international law.

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Panelist Associate Justice William Joseph Brennan, Jr., spoke on the need for setting up in other countries the rights of habeas corpus which are enjoyed by citizens of the United States.

Panelist [REDACTED] Chairman of the Board, NBC, read a speech of his father, General David Sarnoff, which explained the future of Telestar and communication satellites in general and advocating setting up a communication satellite corporation.

Panelist [REDACTED] Columbus, Indiana, Chairman, National Council of Churches of Christ and Chairman of the Board of the Cummins Diesel Motor Company gave a general talk.

No mention of the FBI and nothing of interest was made.

Labor Relations Law

General Session

August 7, 1962

This meeting was covered by SA [REDACTED]

The 10:00 a. m. General Session of Labor Relations Law consisted of an address by [REDACTED] Executive Secretary, National Labor Relations Board (NLRB), and [REDACTED] Office of General Counsel, NLRB. Both addresses were aimed to acquaint the session with the administration, operation and statistics of the NLRB. Of interest were such statistics that of the "burdensome" case load handled by the NLRB approximately 1.23% only reached the courts; that approximately 99% were handled and closed administratively. Emphasis was placed that all cases closed administratively were handled in an efficient and fair manner to all parties concerned. ^{b6}
_{b7C}

A plea was made for preventative law as a better manner to dissolve labor disputes. No further particulars were mentioned in this regard.

There was a brief question and answer period following these addresses. All questions propounded dealt with objections to instructions appearing in the handbook of NLRB field representatives to the effect that the field representatives were not authorized to advise queries of attorneys and interested parties whether or not a particular case had been referred to NLRB Headquarters, Washington, D.C., for review. [REDACTED] responded that his office would consider modifying this instruction inasmuch as there should be no secrecy in the handling of cases for review within the NLRB.

There were no further questions and the session was adjourned.

There were no derogatory or complimentary references made to the Bureau or the Director.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: 8-14-62

FROM : D. C. Morrell

SUBJECT: AMERICAN BAR ASSOCIATION ANNUAL MEETING,
SAN FRANCISCO

Tolson
Belmont
Mohr
Casper
Callahan
Conrad
DeLoach
Evans
Malone
Rosen
Sullivan
Tavel
Trotter
Tele. Room
Holmes
Gandy

The teletype from Inspector H. L. Edwards of 8-8-62, concerning captioned meeting indicated the House of Delegates, on August 8th, officially accepted a supplemental report of the Special Committee on Communist Tactics, Strategy and Objectives, which indicated the Committee had realized the need for a comprehensive and authoritative textbook on communism for the high school and college level. The Committee urged the Director to undertake preparation of such a book, the Director recognizing the need wrote a book and it will be released October 1, 1962. The Committee expressed thanks and appreciation and urged the American Bar Association to make use of and encourage wide distribution of the book. This report was signed by [redacted], Raymond W. Miller, Acting Chairman, William C. Mott, Louis B. Nichols, Mario T. Noto, [redacted], [redacted] and John C. Satterfield, Ex-Officio.

Committee Chairman [redacted] opposed the report apparently because of his bitterness in not being continued as Chairman of this Committee, which will be headed by [redacted]. The report was accepted unanimously, however, by the House of Delegates. Such acceptance does not constitute official ABA approval, except by the Committee, but it does become part of the official ABA annual printed report.

Inspector Edwards recommended letters of appreciation to all the individuals who signed the supplemental report and to incoming Chairman [redacted] for his chairmanship of the new committee and his expressed support for the supplemental report. As soon as the Director's book is published, [redacted] intends to formulate a second and stronger endorsement which can be presented to the ABA Board of Governors and cleared for presentation to the House of Delegates at the mid year meeting in February.

Inspector Edwards also recommended letters of congratulation to the following who were elected to ABA positions: (1) Sylvester C. Smith, Jr. - ABA President, (2) Walter E. Craig of Phoenix, Arizona - President-Elect, (3) [redacted] Little Rock, Arkansas - Chairman of the House of Delegates.

Enclosures (4) P181962

JH:blc (2)

SENT D. 8-14-62

5 SEP 5 1962

Morrell to DeLoach memo
Re: AMERICAN BAR ASSOCIATION ANNUAL MEETING,
SAN FRANCISCO

RESULTS OF FILE REVIEW:

All of the above except []
and [] are on the Special Correspondents' List. Bufiles contain no derogatory information concerning the latter three individuals and they are being added to the Special Correspondents' List in view of their positions. //

Former Chairman of the Committee, [] is on the Special Correspondents' List and has been a good friend of the Bureau and a strong supporter of the Director. He has donated countless copies of "Masters of Deceit" to colleges, universities and police agencies in the State of Ohio and offered to buy the "New York Post" to stop its attacks on the FBI.

OBSERVATION:

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In view of the background of [] no recommendation is being made at this time concerning his being retained on the Special Correspondents' List but this is something Inspector Edwards, who has knowledge of [] present attitude, may want to consider. //

RECOMMENDATIONS:

(1) That of the Committee, only [] be written congratulating him on his new chairmanship. (Attached is proposed letter).

GK:
D

(2) That the new officers, Mr. Craig, Mr. Smith and [] be written congratulating them on being elected to these positions. (Attached are proposed letters).

I Agree
JPM
8/14

GK
H

Keyne



AMERICAN BAR ASSOCIATION

American Bar Center

1155 EAST SIXTIETH STREET • CHICAGO 37, ILLINOIS

Telephone HYde Park 3-0533

August 22, 1962

PERSONAL

Mr. Tolson
Mr. Belmont
Mr. Mohr
Mr. Callahan
Mr. Conrad
Mr. DeLoach
Mr. Evans
Mr. Malone
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Tele. Room
Miss Holmes
Miss Gandy

SYLVESTER C. SMITH, JR.
President

WALTER E. CRAIG
President-Elect

EDWARD L. WRIGHT
Chairman of House of Delegates

GLENN M. COULTER
Treasurer

JOSEPH D. CALHOUN
Secretary

JOSEPH D. STECHER
Executive Director

[Handwritten signatures and initials]

Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation
United States Department of Justice
Washington 25, D. C.

Dear Mr. Hoover:

Thank you kindly for your letter of August 14 regarding my election as President-Elect of the American Bar Association. I sincerely appreciate your thoughtful-
ness in writing.

I am certain that the excellent spirit of cooperation between the Bureau and the American Bar Association will continue in the future as it has in the past.

Please extend my kindest regards to Lynn Edwards and

I hope you had an enjoyable rest at La Jolla, and hope to see you on one of my next trips into Washington. We were extremely sorry that you were unable to attend our annual meeting in San Francisco

With kindest personal regards, I am,

Very truly yours,

Walter E. Craig
WALTER E. CRAIG

EXP. PROC.

AUG 24 1962
SEP 21 1962

WEC:le

ST-113

SEP 14 1962

TWO
CORRESPONDENCE

SEP 14 1962

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REC-38

94-1-369-1775

8/24/62 E.C.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone

DATE: September 25, 1962

FROM : H. L. Edwards

SUBJECT: SYLVESTER C. SMITH, JR.
PRESIDENT, AMERICAN BAR ASSOCIATION

Tolson	_____
Belmont	_____
Mohr	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

I spent the past weekend as a guest of ABA President Sylvester C. Smith, Jr. He told me he was very grateful for the Director's thoughtfulness in sending him an autographed copy of "A Study of Communism." Smith has read it, he is most enthusiastic and considers it an excellent text type of book and one which fulfills an urgent current need. Smith is especially interested during the forthcoming year as President of the ABA in pushing forward the work of the newly established Standing Committee on Education Against Communism.

Smith told me that he had already spoken to New Jersey Governor Hughes who is a very close friend of Smith's of long standing. (In fact, Smith spoke at length to me concerning some of the problems in New Jersey and indicated that Governor Hughes frequently consults him and there has never been an occasion where the Governor has to decide between Smith and some opposing consultant that Hughes has not decided in favor of Smith.) Smith said that he urged Governor Hughes to exercise his influence with the state education authorities and do what he could to encourage a statewide movement to teach the contrast between communism and democracy in the New Jersey public schools. Smith said that he highly recommended to Governor Hughes that the Director's book be used as the basic text. He said Governor Hughes reacted very favorably and it remains now to follow through and get the mechanics set up.

Smith's idea is that this program should start by having some sort of teacher-training institutes in the state whereby carefully selected teachers would be introduced to this program and given an institute-type of training in the use of the text and in the techniques of teaching communism. Smith said he hasn't quite figured out the best way to proceed on this. Since the program is one being actively pushed by the American Bar Association, Smith would prefer to see lawyers take the leadership in teaching. However, he didn't know whether there would be enough law-trained qualified teachers.

I told Mr. Smith I would take the liberty of passing along to the Director his favorable reaction to the book and I was sure the Director would appreciate

1 - Mr. DeLoach
1 - Mr. Sullivan
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OCT 4 1962

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ORIGINAL FILED IN 94-55113

Memo to Mr. Malone
Re: Sylvester C. Smith, Jr.

the initiative and interest which Smith has exhibited in trying to have the text used in this program of education in New Jersey. As an aside Smith mentioned that every year Yale University sponsors and subsidizes a special lecture series on some timely subject consisting of 5 lectures for which Yale pays \$400 per lecture or a total of \$2,000 plus expenses. Smith said he wished it were possible to prevail upon the Director to consider giving this series of lectures because he felt it would be a tremendous public service and would have such a great impact on the nation at a time when it is most needed particularly in the field of crime and communism. I told Smith I was sure the Director would appreciate this expression of confidence and although I could not speak for him I did know from my daily work that the Director was greatly burdened with an already superhuman schedule of demands on his time and talents. Smith didn't ask for anything to be done on this but seemed to be just thinking out loud.

RECOMMENDATIONS:

1. That a letter of appreciation be sent to Smith for his expressed reaction to the Director's book and the efforts he has already taken as indicated herein.

2. That a copy of the letter be sent to SAC at Newark alerting him to Smith's contact with the Governor so that the SAC can keep in touch with this situation in any contacts he might have with the Governor. Of course, Edwards will follow through on this in his contact with Smith.

August 10, 1962

FUGITIVE FELON ACT

In May, 1934, the Fugitive Felon Act was passed, and it has been one of the most effective Federal laws ever enacted to aid local and state law enforcement agencies. The act was designed to rectify a serious problem for local law enforcement in the gangster era of the early 1930s--that a criminal could escape justice by fleeing across state lines. This statute has been amended on several occasions, and on October 4, 1961, it was broadened when the President signed Public Law 87-363, to amend Section 1073 of Title 18, U. S. Code. Prior to the passage of this most recent amendment, the law empowered the FBI to assist in locating fugitives who had crossed state lines to avoid prosecution, custody or confinement after conviction for murder, kidnaping, burglary, robbery, mayhem, rape, assault with a dangerous weapon, arson punishable as a felony or extortion accompanied by threats of violence or attempts to commit any of these offenses. Flight to avoid giving testimony concerning a felony was also covered.

The recent amendment extended the act to include all crimes, or attempts to commit crimes, punishable by death, or which are felonies under state law (or which, in the case of New Jersey, are high misdemeanors). It reads as follows:

"Whoever moves or travels in interstate or foreign commerce with intent either (1) to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which he flees, for a crime, or an attempt to commit a crime, punishable by death or which is a felony under the laws of the place from which the fugitive flees, or which, in the case of New Jersey, is a high misdemeanor under the laws of said State; or (2) to avoid giving testimony in any criminal proceedings in such place in which the commission of an offense punishable by death or which is a felony under the laws of such place, or which, in the case of New Jersey, is a high misdemeanor under the laws of said State, is charged, shall be fined not more than \$5,000 or imprisoned not more than 5 years, or both.

Designated copies listed last page with NOTE

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

ELC:tmf

(7)

MAIL ROOM ☐

TELETYPE UNIT ☐

ENCLOSURE

"Violations of this section may be prosecuted only in the Federal judicial district in which the original crime was alleged to have been committed, or in which the person was held in custody or confinement and only upon formal approval in writing by the Attorney General or an Assistant Attorney General of the United States, which function of approving prosecutions may not be delegated."

Prior to the amendment, FBI Agents located thousands of badly wanted fugitives, but thousands more who had committed serious felonies not listed in the law were able to thwart justice by fleeing from the state in which they were accused of a major crime. The new law thereby removed any geographic safety which the fleeing felon formerly enjoyed. Due to the fact that there are FBI Agents in every major city in this country and the FBI has a highly efficient communications system, the FBI is often able to capture a fleeing fugitive as soon as he reaches his destination.

Set forth below is a tabulation of apprehensions for the past nine consecutive fiscal years (July 1 - June 30) under the Fugitive Felon Act, which is testimony as to the value of this law.

1954	007
1955	653
1956	902
1957	947
1958	1,021
1959	1,149
1960	1,361
1961	1,418
1962	1,878

Of particular interest is the tremendous increase in the number of fugitives which have been apprehended since the amendment to the act last fall. From the enactment of the amendment last October to July 1, 1962, a total of 1,533 fugitive felons were located by the FBI, 770 of whom were apprehended under the expanded provisions of the act.

From the foregoing, it is readily apparent why local law enforcement officers have found the Fugitive Felon Act such a very significant weapon in the continuing war on crime, and as familiarity with the act has broadened, the act itself has been called into increasing use.

All the FBI needs in order to further assist local law enforcement in locating a fleeing person charged with a felony is an indication he has fled the state where he is charged with the felony, a request from local authorities for the FBI to locate him and a warrant authorized by a United States Attorney to seek such an individual.

While the Fugitive Felon Act does provide for a maximum \$5,000 fine and/or five years' imprisonment, Federal prosecution under this statute has been extremely limited. During the past ten years, Federal prosecutions have been undertaken in less than 50 instances in a total of more than 10,000 apprehensions under the Fugitive Felon Act. The Attorney General has made it clear that the Fugitive Felon Act does not supersede, nor is it intended to provide an alternative for, state extradition proceedings. Its primary purpose is to permit the Federal

Government to assist in the location and apprehension of fugitives from state jurisdiction. The usual procedure is that the FBI will turn over the fugitive to local authorities promptly after arrest so that he may be returned through normal extradition proceedings to the jurisdiction from which he fled. The established policy of the Department of Justice and the FBI is to require the agency requesting location of a fugitive under this Act to agree at the time the request is made to extradite the fugitive from wherever he is located by the FBI. This assurance by the local prosecuting attorney guarantees that the Uniform Extradition Act will not be circumvented and that prosecution will be had in the local area where the crime was committed and under local statutes. Federal removal proceedings are not used to circumvent extradition proceedings.

- 1 - Mr. DeLoach (sent with cover memo)
- 1 - Mr. Belmont (sent with cover memo)
- 1 - Mr. Evans (sent with cover memo)
- 1 - Mr. Malone (sent with cover memo)

NOTE: See Jones to DeLoach Memo of 3-10-62 captioned "John Pattersonfield, American Bar Association, Annual Meeting." Material for blind memo taken from previous published data, material submitted to be included in the 19 Annual Report and a 10-5-61 press release regarding the Fugitive Telen Ac

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. DeLoach

DATE: 8-10-62

FROM : M. A. Jones

SUBJECT: JOHN SATTERFIELD
AMERICAN BAR ASSOCIATION (ABA)
ANNUAL MEETING

Tolson	_____
Belmont	_____
Mohr	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

A teletype received last night from Inspector H. L. Edwards contained information regarding the speech made by John Satterfield, outgoing president of the ABA. He pointed out that Satterfield made a strong plea for states' rights and warned of the encroachment of the Federal Government. According to Edwards, Satterfield made no mention in the delivered speech concerning the Fugitive Felon Act as an example of expanding Federal power. In the printed speech, which the press subsequently received, the Fugitive Felon Act was mentioned as an example of the Federal Government using its power to circumvent the Uniform Extradition Act. In the same speech, Edwards noted that Satterfield was most complimentary of the Director.

Edwards contacted Satterfield regarding this matter following the speech pointing out that the intent of Congress in passing this legislation was to provide a much needed cooperative service to local authorities and not in any sense to preempt the local police powers. Satterfield was also reminded that the Fugitive Felon Act was endorsed by the ABA last August. Satterfield was disturbed and apologetic and wished to reassure the Director he intended no criticism of the FBI but was intending to establish the point of the potential threat of Federal domination. Satterfield asked Edwards if it would be possible to obtain an informal memo of the true facts concerning the Fugitive Felon Act and its operation. Edwards feels this should definitely be done so that the speech as printed in the official Bar proceedings will be factually correct on this point. He recommended that Crime Records Division prepare a blind memo showing pertinent information concerning the Fugitive Felon Act which should be made available to him for personal transmittal to Satterfield.

RECOMMENDATION:

That the attached blind memo on the subject of the Fugitive Felon Act be made available to Inspector Edwards to furnish John Satterfield so that the official text of Satterfield's speech can be corrected.

Enclosure

- 1 - Mr. DeLoach
- 1 - Mr. Belmont
- 1 - Mr. Evans
- 1 - Mr. Malone

ELC:tmf

(6)

REC-6

10 SEP 22 1962

CRIME RECORDS DIVISION

PERS. REC. UNIT

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone

DATE: October 1, 1962

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION
STANDING COMMITTEE ON EDUCATION
AGAINST COMMUNISM
COMMITTEE MEETING, WASHINGTON, D. C., 9/30/62

Tolson ☒
 Belmont ☒
 Mohr ☒
 Casper ☒
 Callahan ☒
 Conrad ☒
 DeLoach ☒
 Evans ☒
 Malone ☒
 Rosen ☒
 Sullivan ☒
 Tavel ☒
 Trotter ☒
 Tele. Room ☒
 Holmes ☒
 Gandy ☒

The first meeting of the American Bar Association's new Standing Committee on Education Against Communism, chaired by [redacted] met all day Sunday, 9/30/62, in [redacted] suite at the Mayflower Hotel. Pursuant to prior approval of the Director, [redacted] and I attended. All members of the 11-man committee except [redacted] of Cincinnati and [redacted] of Philadelphia attended. In addition, [redacted] of the National Strategy Information Center, who has been retained as an expert consultant to the committee, attended as well as [redacted] Professor from the University of South Carolina who has been conducting summer schools for teachers on communism. [redacted], representing the ABA Board of Governors, attended. Assistant Director W. C. Sullivan appeared during the closing hour of the meeting. A summary of pertinent highlights concerning action taken regarding the Director's new book is submitted in this memorandum and other pertinent items are submitted in separate memorandum.

(1) The Director's new book "A Study of Communism"

Following the precedent which we were able to effectuate in connection with the anti-communism seminars begun by last year's committee under the chairmanship of [redacted] whereby at each seminar the committee gave those in attendance a kit of material including various reprints of the Director's articles and a complimentary copy of "Masters of Deceit" purchased by the committee, [redacted] committee yesterday approved the same practice for future seminars except that the Director's new book "A Study of Communism" will be added to the handout material. The first seminar is scheduled for Hartford, Connecticut, October 15, 1962. As an initial step, the committee authorized Admiral Mott to order 1,000 copies of the \$1.95 edition which Mott indicated the publisher would give the ABA committee a special price on of \$1.47 a copy. [redacted] indicated the committee should have approximately \$8,000 earmarked for books for the future seminars and he asked

1 - Mr. Sullivan
 1 - Mr. DeLoach

HLE:hcv

(5)

REC-1

94-1-361

1777

6 OCT 5 1962

EX-117

Memo to Mr. Malone

Re: American Bar Association, Standing Committee on Education Against Communism

Mr. Nichols if Nichols thought there would be a possibility of getting someone to make such a sum available. Nichols indicated he did, whereupon [] asked him if he would undertake such an assignment as a part of the general assignment [] had given Nichols to act as a subcommittee of one to explore possibilities for additional foundation grants or other sums of money to help the committee carry forward its projects and programs.

(2) Other plans for promoting the Director's book

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[] mentioned that another important item on the committee's agenda for the near future is to do everything possible to promote the Director's new book which he referred to as excellent. [] of Miami said he has been using every opportunity to promote the book through his speaking appearances and Bar activity work in Florida. He privately got me aside during a committee meeting break and told me that he has run into a question as to whether any educators had collaborated with or made a review of the book. He said he knows the book is excellent but some of these educators are sensitive and jealous of their own profession and it would be helpful to him if he could receive some guidance in countering these questions. I told him that no less than 15 topnotch educators representing various interests including the National Education Association had been consulted during the preparation of the book and he could rest assured that educators approved it. I also told [] that there had been a number of reviews made of the book and I would see if some of these were available to send to him. It is being recommended that Crime Records Division help [] in this regard.

A number of the committee members indicated they had received the Director's book but had not had an opportunity yet to review it. They were urged by [] to promptly do so.

[] asked me privately if I could pass along to him on an informal basis any suggestions we might have for promoting the book and stated that he wanted to do anything feasible. There come to mind a number of good possibilities such as essay contests, youth awards, special recognition to groups instituting educational programs utilizing the book, as well as the possibility of a special citation of public service to the Director for preparing the book. A recommendation is being made that Crime Records Division be authorized to consider and submit proposals which I might pass along to [] for his consideration.

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(3) Other action of the committee

[] committee considered a number of other items which are being made the subject of separate memoranda. One of these ties in with the Director's book namely, the program to which the committee is giving great emphasis whereby

Memo to Mr. Malone

Re: ABA, Standing Committee on Education Against Communism

they are endeavoring to work up a plan for a considerable number of teacher-training institutes for the summer of 1963. They hope to use this means, subsidized by foundation funds, of training a carefully selected group of teachers who will be able to carry out this program of education against communism. Of course, the Director's book will be stressed as an ideal text in this program.

RECOMMENDATIONS:

1. That Crime Records Division make available to me for transmittal to Committee Member [] in Miami any available reviews of the Director's book as well as any additional information which might help him confront any questions he receives concerning the endorsement of the book by educators.

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b7c

no. ✓ JHR
K

2. That Crime Records Division make available to me for confidential transmittal to Chairman [] any proposals for promoting the Director's book.

OPH ✓ SAC JHR
no. ✓
K

UNITED STATES GOVERNMENT

Memorandum

TO : MR. MALONE

DATE: September 25, 1962

FROM : MR. H. L. EDWARDS

SUBJECT:

AMERICAN BAR ASSOCIATION
VIRGINIA STATE BOARD OF EDUCATION

Tolson _____
Belmont _____
Mohr _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____
Mr. Casper _____

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b7C

While at the August, 1962, annual meeting of the American Bar Association, I reported a conversation I had with ABA member [redacted] of Richmond, Virginia, who is a member of the ABA Board of Governors, a very likely prospect to become President-Elect of the ABA next year, and an influential member of the Virginia State Board of Education who had headed up a special committee of the ABA urging the education in high schools and colleges on the contrast between communism and democracy. [redacted] had been instrumental in having the Director's "Masters of Deceit" approved by the Virginia State Board of Education for use in Virginia schools. He was also instrumental at San Francisco in including a statement in his annual committee report concerning the forthcoming book of the Director's "A Study of Communism." This was previously reported by me and included the fact that I thanked [redacted] on behalf of the Director.

At San Francisco, [redacted] volunteered the statement that as soon as the Director's new book was published he would do everything he possibly could to have it adopted by the Virginia State Board of Education. Bureau files are favorable on [redacted]

The purpose of this memorandum is to suggest that an autographed copy of the Director's book be sent to [redacted] at his office address, The Electric Building, Richmond 12, Virginia.

As of additional interest and having a bearing on the efforts to introduce the Director's new book into the Virginia State education setup, Mr. DeLoach advised me that [redacted] an American Legion contact, heads up the Virginia State education committee and has been spearheading action with that group to achieve acceptance of the Director's new book in the Virginia public schools setup. This action will be pushed next year after the Legislature reconvenes. [redacted] contemplated efforts will supplement Daniel's and provide a strong two-pronged campaign which should be extremely effective.

RECOMMENDATIONS:

1. That an autographed copy of "A Study of Communism" be sent to [redacted] at the address mentioned herein.

HLE:hcy, wmj (5)

1 - Mr. DeLoach

1 - Mr. Sullivan

XEROX

OCT 9 1962

67 OCT 17 1962

Book mailed 10/2/62
BIB/10/2/62
UNRECORDED COPY

UNITED STATES GOVERNMENT

Memorandum

TO : MR. MALONE

DATE: September 25, 1962

FROM : H. L. EDWARDS

SUBJECT: ~~AMERICAN BAR ASSOCIATION~~
STANDING COMMITTEE ON EDUCATION
AGAINST COMMUNISM

Tolson _____ ✓
Belmont _____ ✓
Mohr _____
Callahan _____
Conrad _____
DeLoach _____ ✓
Evans _____ ✓
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

It will be recalled that at the August, 1962, annual meeting of the American Bar Association in San Francisco, the chairman of the current Standing Committee on Education Against Communism, [] advised that after he officially assumed his duties of chairman (immediately upon the conclusion of the San Francisco meeting, and for a term of 3 years) he wanted to lay the groundwork for having his committee give the Director's book a much stronger endorsement than was possible at San Francisco. Specifically, he indicated that his first committee meeting would be held in Chicago in October, 1962, in conjunction with the meeting of the ABA Board of Governors. By this time [] felt the Director's book would be off the press and each member of his committee would have had an opportunity to review it. The committee would then be in a position to give it an endorsement based on firsthand knowledge and [] hoped that thereafter his committee could get the endorsement of the ABA Board of Governors which would lay the groundwork for action at the February, 1963, midyear meeting of the ABA where he hoped a report could be presented to the House of Delegates looking toward action urging the use of this book as a textbook in the educational program contrasting communism with democracy which the committee is urging throughout high school and colleges. Chairman [] has already been furnished a copy of the Director's new book as have committee members L. B. Nichols and Navy Judge Advocate General, Admiral William C. Mott.

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b7C

There are 8 remaining committee members who have not yet been furnished copies of the book. These committee members are geographically scattered throughout the country and if it would be possible to send them (except for committee member [redacted] -- see next paragraph as to why he should not get one) a copy of the book in time to permit them to read same prior to the committee meeting in Chicago (scheduled for approximately October 12, 1962), this should assist [redacted] materially in getting the wholehearted endorsement of the committee as planned. Furthermore, since these committee members are all influential in their own local circles, both in the Bar and undoubtedly with State Boards of Education and the like, this should be of additional benefit in helping the book to receive ready acceptance. Rather than imposing upon the Director to autograph these books, I think it would be sufficient if his name card were merely inserted in the book.

1 - Mr. Sullivan

1 - Mr. DeLoach

HLE:hcy.,wmj (5)

62 FEB 26 1963

EX-112

25 FEB 1963

Memo for Mr. Malone

Re: ABA, Standing Committee on Education Against Communism

These remaining 8 committee members' names and mailing addresses are as follows:

Egbert L. Haywood, III Corcoran Street, Durham, North Carolina

[redacted] Dade Federal Building, Miami 32, Florida

Rec. Auto Book 9/11 → Raymond W. Miller, DuPont Circle Building, Washington 6, D. C.

|| Mario T. Noto, 119 D Street, N. E., Washington 25, D. C.

Not to get book [redacted] 1421 Chestnut Street, Philadelphia 2, Pennsylvania

The six checks sent books with this card 9-27-62 psmg [redacted] Union Central Building, Cincinnati 2, Ohio

[redacted] Northwestern University Law School, 357 E. Chicago Avenue, Chicago 11, Illinois

Dan H. Shell, First National Bank Building, Jackson 5, Mississippi

There is nothing in Bureau files on any of these making it undesirable to send the book to them with the exception of [redacted] of Cincinnati. [redacted]

is the past chairman of the no-longer existent Special Committee on Communist Tactics, Strategy and Objectives which became the present [redacted] committee.

[redacted] boycotted the San Francisco meeting by refusing to attend and he refused to go along with the committee report endorsing the Director's book but we were able to have the report accepted by the House of Delegates without [redacted]

[redacted] antipathy stemmed primarily from his "sour grapes" attitude when Sylvester Smith appointed [redacted] as the new chairman, although [redacted] did accept Smith's offer to continue as a committee member of the [redacted] committee for a two-year term. [redacted] was dropped as an SAC contact of the Cincinnati Office and

recently removed from the Special Correspondents' List based on the recommendation of SAC Mason because of the attitude [redacted] manifested in connection with the ABA committee. Sylvester C. Smith told me he was tempted to withdraw his offer of committee membership to [redacted] after his inexcusable action concerning the committee's San Francisco meeting but he felt this would only be playing the same kind of game as [redacted] and he did not want to bring himself down to [redacted] level.

You may be assured all members of the committee are of one mind concerning [redacted] attitude and will certainly not permit [redacted] to sabotage the committee's efforts during the forthcoming year. I am opposed to having [redacted] get a copy.

RECOMMENDATIONS:

1. That a copy of the Director's new book with his name card inserted be immediately sent to each of the 7 committee members who have not yet received one.

Palms
OK - OK ✓
H
- 2 -

HW

↓

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b7C
b7D

Memo for Mr. Malone

Re: ABA

Standing Committee on Education Against Communism

2. That no book be sent to for reasons indicated herein.

D 9/15

GH

✓ JHW

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b7C

3. That if Recommendation #1 is approved, I be authorized to drop a personal note to Chairman alerting him to the fact that these 7 members of his committee are being furnished a copy of the book and suggesting that he urge each member to review the book carefully prior to the October committee meeting in Chicago so that they will be prepared to take the action which has been tentatively worked out with for approval of the book. I will also personally alert ABA President Sylvester C. Smith, Jr., the latter already having received a copy of the Director's book.

D 9/15

✓

Gill

JHW

I take on dim view as to this out of office the appointment of the ex-agent who is persona non grata in so far as I am concerned.

H

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 9/20/62

FROM : SAC, RICHMOND (94-390)

SUBJECT: AMERICAN BAR ASSOCIATION (ABA)
SPECIAL COMMITTEE ON COMMUNIST TACTICS,
STRATEGY AND OBJECTIVES

Mr. Tolson ☒
Mr. Belmont ☒
Mr. Mohr ☒
Mr. DeLoach ☒
Mr. Conrad ☒
Mr. Evans ☒
Mr. Gale ☒
Mr. Rosen ☒
Mr. Sullivan ☒
Mr. Tavel ☒
Mr. Trotter ☒
Tele. Room ☒
Miss Holmes ☒
Miss Gandy ☒

Re Richmond letter to Bureau, 7/25/62.

As the Bureau has previously been advised, considerable liaison has been maintained with [redacted] Department of Education, State of Virginia, concerning courses in Communism to be offered in the Public Schools of Virginia.

On 9/20/62, an advance copy of the Director's new book "A Study of Communism" was made available to [redacted] and at that time, he made an examination of the book. [redacted] said that he was delighted with the book, particularly the format and would use all means available to him to have the book adopted as either a basic text or a required reference in the course. As the Bureau has previously been advised, the Director's book "Masters of Deceit" is one of the three texts used in connection with the course, and the Department of Education has now purchased 600 copies of the book to be placed in the hands of the teachers throughout the state in charge of this program. It is anticipated that a like number of "A Study of Communism" will be purchased for the same purpose. These books are purchased by the State of Virginia directly from the publisher. Close liaison will be continued with [redacted] in this matter, and the Bureau will be kept advised.

Also, in connection with the course in Communism, [redacted] said that the tape recordings of the Director's statement on Communism will be used in conjunction with the

(2) Bureau
1-Norfolk (Info)
1-Richmond

REB:1cn
(4)

OCT 16 1962
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EX - 103

11 OCT 10 1962

CRIME RESEARCH

RH 94-390

course, particularly to set a background for the course. These tapes will also be used extensively in the public schools of Virginia during the 1962-63 school year, and the Bureau will be kept advised of the extent of the usage of the tapes.

An information copy of this letter is being designated for Norfolk inasmuch as this course will be offered in schools covered by the Norfolk Office.

UNITED STATES GOVERNMENT

*Memorandum*TO : Mr. Malone *JFW*

DATE: October 10, 1962

FROM : H. L. Edwards *JFW*SUBJECT: *O* AMERICAN BAR ASSOCIATION (ABA)
MID-SOUTH REGIONAL MEETING
LITTLE ROCK, ARKANSAS
NOVEMBER 8 - 10, 1962

Tolson	_____
Belmont	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Malone	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

The Mid-South Regional Meeting of the ABA is scheduled for Little Rock, Arkansas, November 8 - 10, 1962. This is one of two semi-annual regional meetings. The policy of holding regional meetings is because the ABA has such a large membership that it has been impossible to accommodate all of the lawyers at the annual meeting. The regional meetings are geographically spaced so as to accommodate the bulk of attorneys in the states surrounding the regional meeting. The Little Rock meeting will embrace the region of Arkansas, Texas, Oklahoma, Southern Missouri, Tennessee, Louisiana and Mississippi. Of course, it will be attended by the key officers of the ABA and key staff members from ABA Chicago headquarters. Probably 3, 000 to 5, 000 lawyers will attend.

Liaison at the regional meetings by the Seat of Government ABA representatives has depended upon whether items are included in the agenda of unusual importance to Bureau. The tentative program does not appear to include anything of sufficient importance this year to warrant the Seat of Government representatives attending. The Criminal Law Section does not plan any program. The Standing Committee on Education Against Communism does not have a program nor is there a meeting of the Committee scheduled there.

In the event the Bureau agrees, it is felt it would be sufficient to have the SAC at Little Rock arrange to spot cover anything pertinent and to submit a report to the Bureau. A proposed letter to the SAC, Little Rock, is attached for approval.

RECOMMENDATION:

That the attached letter to Little Rock instructing the SAC to arrange for local coverage of the regional meeting be approved.

Enclosure

HLE:ejw
(2)

V. Kennedy
OCT 11 1962
REC-51
EX-100
FBI - LITTLE ROCK
REC'D - 10620H.2 OFFICE

94-1-367-1780

12 OCT 12 1962

TEV
10620H.2

SAC, Little Rock

October 11, 1962

Director, FBI

EX-100 REC-51 44-1-317-1780

AMERICAN BAR ASSOCIATION
MID-SOUTH REGIONAL MEETING
LITTLE ROCK, ARKANSAS
NOVEMBER 8 - 10, 1962

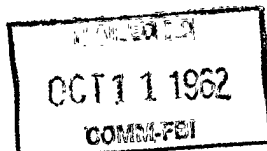
The captioned meeting will not be covered by the Seat of Government liaison representatives. In lieu of this, you should arrange to maintain appropriate spot coverage and promptly report to the Bureau any items of interest. You should be particularly alert to any references made to the Bureau or its activities and also any speeches made or action taken which would be of interest to the Bureau in any of its areas of responsibility. A copy of the detailed program and any other pertinent handout material should be enclosed with your report.

NOTE: Based on memo H. L. Edwards to Mr. Malone, 10/10/62, re: American Bar Association (ABA), Mid-South Regional Meeting, Little Rock, Arkansas, November 8-10, 1962, HLE:ejw.

HLE:ejw

(4)

Tolson _____
Belmont _____
Mohr _____
Casper _____
Callahan _____
Conrad _____
DeLoach _____
Evans _____
Malone _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____



MAIL ROOM ☒ TELETYPE UNIT ☐

ENCLOSURE

94-1-369-1781

INSTRUCTION ON COMMUNISM

and

ITS CONTRAST WITH LIBERTY UNDER LAW



94-1-369-1781

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone

DATE: October 2, 1962

FROM : H. L. Edwards

SUBJECT: AMERICAN BAR ASSOCIATION
STANDING COMMITTEE ON EDUCATION
AGAINST COMMUNISM
COMMITTEE MEETING, WASHINGTON, D. C., 9/30/62

Tolson ☒
Belmont ☒
Mohr ☒
Casper ☒
Callahan ☒
Conrad ☒
DeLoach ☒
Evans ☒
Malone ☒
Rosen ☒
Sullivan ☒
Tavel ☒
Trotter ☒
Tele. Room ☒
Holmes ☒
Gandy ☒

This memorandum summarizes some additional highlights of the meeting of the captioned committee held at the Mayflower Hotel, Sunday, 9/30/62. (Earlier memorandum highlighted information concerning the Director's new book.)

[] emphasized that a major mandate of the committee is to "study, make report and recommendations, plan and give effect to programs of education on Communist tactics, strategy and objectives and encourage and support our schools and colleges in the preparation of adequate instruction on the contrast between communism and liberty under law." He stated that with the issuance of the Director's book "A Study of Communism" one of the primary basic needs has been met. However, another essential need remains, namely, to set up and activate a sound program for teacher-training institutes so as to guarantee that this educational program will be properly handled by carefully selected and trained teachers.

[] Professor at the University of South Carolina, was a guest at the committee meeting and Liebman observed that [] has been conducting summer institutes for training teachers on communism. [] reviewed some of his experiences citing a number of practical problems which the committee will have to overcome. Committee Member [] emphasized that the committee should concentrate on selling the college and university administrators on this program so as to have their full support. [] of Richmond, who has been actively spearheading this type of program for the past year or more in the State of Virginia public schools, (using "Masters of Deceit" as one of the texts) urged the committee to proceed slowly on a pilot basis with this program.

[] mentioned that the old committee had received foundation grants of \$25,000 from the Richardson Foundation and \$36,000 from the Lilly Foundation. Just recently [] committee has received an additional \$25,000 from the Richardson Foundation, \$25,000 from the Mellon Foundation and a matching \$25,000 consisting of \$10,000 from Richardson and \$15,000 from Realm. This money is

1 - Mr. Sullivan
1 - Mr. DeLoach
HLE:hcv
(5)

5 OCT 31 1962

RECEIVED-DIRECTOR

12 OCT 1962

Memo to Mr. Malone

Re: American Bar Association, Standing Committee on Education Against Communism

primarily earmarked for the program of teacher institutes and pushing the educational program. [] wants to have a syllabus prepared and a considerable number of teacher institutes started at selected colleges and universities.

The committee has retained [] formerly of the Richardson Foundation and currently with the National Strategy Information Center, as an expert consultant. [] is well known to W. C. Sullivan, has lectured widely on communism, has participated in the War College and has worked with [] on the Institute for American Strategy.) At the committee meeting, 9/30/62, [] was designated to promptly formulate plans for getting this program on teacher-training institutes under way. Among other things he is to consult with key educators to explore the immediate problems and lay preliminary plans. This is to be followed by a meeting in the latter part of November, 1962, with a larger number of representatives from colleges and universities including some state administrators of education. The purpose of this second meeting is to try to finalize teacher-training institutes in the selected colleges and universities for the summer of 1963.

[] is also to prepare for committee approval and thereafter approval by the ABA Board of Governors a proposed budget for the teacher-training program. He is to manage the foundation funds which the committee now has and hopes to get earmarked for this program.

b6
b7c

Chairman [] set up a subcommittee to work with [] on the education program and problems. This committee consists of [] as chairman with Dean [] of Northwestern University Law School, [] as members.

[] was also given the assignment of updating the attached pamphlet "Instruction on Communism" which was issued by the ABA last year. [] particularly mentioned the bibliography of books and government publications on pages 21-24 of this pamphlet stating that [] would want to add the Director's new book to this list and also review the bibliography for any additions or deletions. I am recommending in this memorandum that the Domestic Intelligence Division promptly give this pamphlet a thorough review and make available to me for passing along to [] any proposed changes. (Of course, this pamphlet was thoroughly reviewed, including the bibliography, in its draft form in November, 1961, and currently represents much of the Bureau's thinking on this particular subject.)

Memo to Mr. Malone

Re: ABA, Standing Committee on Education Against Communism

Barnett was also instructed to make a complete inventory of the various problems to be confronted and overcome in connection with teaching communism and training teachers. In this connection, I am recommending the Domestic Intelligence Division submit for approval any ideas or proposals which we might want to make available for the committee's consideration.

[redacted] mentioned that another item on his agenda for future committee consideration is that of devising some means for keeping alert to state legislation providing for teaching communism in schools. Various committee members agreed this would be wise so as to prevent improper legislation. [redacted] also mentioned he wanted to effectuate committee liaison with the State Attorneys General and the state Governors on the education program.

RECOMMENDATIONS:

1. That the Domestic Intelligence Division review the attached pamphlet and submit for approval any proposed changes which I will thereafter make available to [redacted]

OK.
H.

WNV

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b7C

2. That the Domestic Intelligence Division submit for approval any guidance which the Bureau might want to have me pass along to [redacted] for committee consideration in connection with problems to be considered concerning the program of training teachers to teach communism.

EAC

V.

PM

WLS

WNV

No. They have more machines
& possibly more who between
them should be able to come
ideas. The more we help
this outfit the more we get
"knicked in the teeth".